

IN RE: PETITION FOR SPECIAL EXCEPTION * BEFORE THE
3/S Yellow Brick Road, 980' E of *
the c/l of Rossville Boulevard * DEPUTY ZONING COMMISSIONER
(8835 Yellow Brick Road)
15th Election District * OF BALTIMORE COUNTY
6th Councilmanic District * Case No. 96-178-X

Yellow Brick, LLC
Petitioner *

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Deputy Zoning Commissioner as a Petition for Special Exception for that property known as 8835 Yellow Brick Road, located in the vicinity of Rossville Boulevard and Golden Ring Mall in Rossville. The Petition was filed by the owner of the property, Yellow Brick, LLC, by Marcia A. Roof, an Officer, and the Contract Purchaser/Lessee, Consolidated Parts and Services, Inc., by Dale Cole, Jr., also an Officer. The Petitioners seek approval to use the subject property for a service garage and truck trailer repair facility. The subject property and relief sought are more particularly described on the site plan submitted which was accepted and marked into evidence as Petitioner's Exhibit 1.

Appearing at the hearing on behalf of the Petition were representatives of Yellow Brick, LLC, legal owners of the property, and representatives of Consolidated Parts and Services, Inc., the Contract Lessee. The Petitioners were represented by Newton A. Williams, Esquire. There were no Protestants present.

Testimony and evidence offered revealed that the property which is the subject of the special exception request is part of a larger tract of land containing 3.961 acres, which is split zoned B.R., M.L.-I.M., and M.L.-C.S.-1. The special exception area consists of 1.514 acres, more or less, and is presently improved with a 1 and 1/2 story metal building and

ORDER RECEIVED FOR FILING

Date

By

RECEIVED
JAN 12 1997

attached 1 story building. The Petitioners are desirous of leasing the subject 1.514 acres to Consolidated Parts and Services who wish to establish a service garage and truck trailer repair facility on the property. Testimony indicated that Consolidated Parts and Services recently relocated their business to the subject site after having operated in a more remote location on Race Road, adjacent to the old Golden Ring Swimming Pool. Many of their clients had a difficult time finding their business. Testimony indicated that their old location was somewhat desolate and more appropriate for use by high school kids as a lover's lane. Thus, they relocated to this site for better access and visibility.

Further testimony revealed that Consolidated Parts and Services, Inc. is in the business of servicing and repairing the trailers of tractor trailer trucks. The Petitioners do not service the diesel tractors which pull these trailers, but rather, they service the trailer portions, only, of those trucks. Testimony indicated that their service includes replacing brake systems, axles and wheels, etc., associated with these trailers. The trailers to be serviced are stored in the rear portion of the subject site, behind adequately screened fencing. Furthermore, much of the actual service work takes place within the existing building on the site. It should also be noted that the owners of the property utilize a portion of the building for their own business offices. The Owners testified that Consolidated Parts and Services, Inc. operates a neat, clean and quiet business which does not detract from their utilization of the property.

All parties at the hearing agreed that the special exception use herein shall be limited to the service and repair of the trailer portion of tractor trailer trucks, and not the diesel tractors that pull these trailers over the highways. This will ensure that the service garage

operation remains quiet and clean and will not impose a nuisance upon the surrounding uses. Furthermore, pursuant to discussions at the hearing, the Petitioners have agreed to provide some additional street trees in the landscape island located along Yellow Brick Road in front of the property. Therefore, pursuant to his Order, an appropriate restriction shall be imposed to ensure that the Petitioners provide an additional three or four trees in the grassy area along Yellow Brick Road. The remainder of the site is adequately landscaped and will not require additional planting.

It is clear that the B.C.Z.R. permits the use proposed in a M.L.-I.M. zone by special exception. It is equally clear that the proposed use would not be detrimental to the primary uses in the vicinity. Therefore, it must be determined if the conditions as delineated in Section 502.1 are satisfied.

The Petitioner had the burden of adducing testimony and evidence which would show that the proposed use met the prescribed standards and requirements set forth in Section 502.1 of the B.C.Z.R. The Petitioner has shown that the proposed use would be conducted without real detriment to the neighborhood and would not adversely affect the public interest. The facts and circumstances do not show that the proposed use at the particular location described by Petitioner's Exhibit 1 would have any adverse impact above and beyond that inherently associated with such a special exception use, irrespective of its location within the zone. Schultz v. Pritts, 432 A.2d 1319 (1981).

The proposed use will not be detrimental to the health, safety, or general welfare of the locality, nor tend to create congestion in roads, streets, or alleys therein, nor be inconsistent with the purposes

ORDER BY _____ FOR FILING

Date _____

By _____

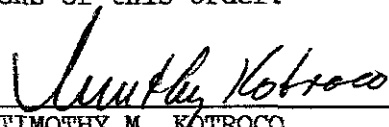
of the property's zoning classification, nor in any other way be inconsistent with the spirit and intent of the B.C.Z.R.

After reviewing all of the testimony and evidence presented, it appears that the special exception should be granted with certain restrictions as more fully described below.

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons given above, the relief requested in the special exception should be granted.

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this 28th day of December, 1995 that the Petition for Special Exception seeking approval to use the subject property for a service garage and truck trailer repair facility, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject to the following restrictions:

- 1) The Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30-day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the relief granted herein shall be rescinded.
- 2) The special exception granted herein is limited to the service and repair of the trailer portions of tractor trailer trucks, only. There shall be no service work performed on the diesel tractors which pull these trailers.
- 3) The Petitioners are required to install three or four additional street trees in the grassy area along Yellow Brick Road, in front of the existing building.
- 4) When applying for any permits, the site plan and/or landscaping plan filed must reference this case and set forth and address the restrictions of this Order.


TIMOTHY M. KOTROCO
Deputy Zoning Commissioner
for Baltimore County

TMK:bjs

ORDER RECEIVED FOR FILING
Date 12/28/95
By [Signature]



Baltimore County
Zoning Commissioner
Office of Planning and Zoning

Suite 112, Courthouse
400 Washington Avenue
Towson, Maryland 21204
(410) 887-4386

December 28, 1995

Newton A. Williams, Esquire
Nolan, Plumbhoff & Williams
210 W. Pennsylvania Avenue, Suite 700
Towson, Maryland 21204

RE: PETITION FOR SPECIAL EXCEPTION
S/S Yellow Brick Road, 980' E of the c/l of Rossville Boulevard
(8835 Yellow Brick Road)
15th Election District - 6th Councilmanic District
Yellow Brick, LLC - Petitioner
Case No. 96-178-X

Dear Mr. Williams:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Special Exception has been granted in accordance with the attached Order.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact the Zoning Administration and Development Management office at 887-3391.

Very truly yours,

A handwritten signature in cursive script, reading "Timothy Kotroco".

TIMOTHY M. KOTROCO
Deputy Zoning Commissioner
for Baltimore County

TMK:bjs

cc: Ms. Marcia A. Roof, Yellow Brick, LLC
8837 Yellow Brick Road, Baltimore, Md. 21237

Mr. Dale Cole, Jr., Consolidated Parts & Services, Inc.
8835 Yellow Brick Road, Baltimore, Md. 21237

People's Counsel

✓
File

A faint, circular stamp or seal, possibly a library or archival mark, located in the bottom right corner of the page.



Petition for Special Exception

to the Zoning Commissioner of Baltimore County

for the property located at

8835 Yellow Brick Road

96-178-X

which is presently zoned ML-IM

This Petition shall be filed with the Office of Zoning Administration & Development Management.

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Special Exception under the Zoning Regulations of Baltimore County, to use the herein described property for Service Garage, Truck Trailer Repair

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Special Exception advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Contract Purchaser/Lessee:

Consolidated Parts and Services, Inc.

(Type or Print Name)

DALE B. COLE, JR.
Signature

8835 Yellow Brick Road

Address

Baltimore, MD 21237

City State Zipcode

Legal Owner(s):

Yellow Brick, LLC

(Type or Print Name)

MARCIA A. ROOF
Signature OFFICER.

MARCIA A. ROOF

(Type or Print Name)

Signature

8837 Yellow Brick Road

Address

Phone No.

Baltimore MD 21237

City State Zipcode

Name, Address and phone number of legal owner, contract purchaser or representative to be contacted.

Newton A. Williams

210 W Pennsylvania Ave, Suite 700
Name
Townson, MD 21204 823-7800

Address Phone No.

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING

unavailable for Hearing

the following dates _____ Next Two Months

ALL _____ OTHER _____

REVIEWED BY: MJL DATE 10/25/95

RECEIVED FOR FILING

Date 10/25/95

By [Signature]

Attorney for Petitioner:

Newton A. Williams

Nolan, Plumhoff & Williams

(Type or Print Name)

Newton A. Williams
Signature

700 Court Towers

210 W. Pennsylvania Ave. 823-7800

Address Phone No.

Towson MD 21204

City State Zipcode

DuVAL & ASSOCIATES, P.A.

Engineers • Surveyors

8 Edgarwood Court
Phoenix, Maryland 21131

(410) 666-5467

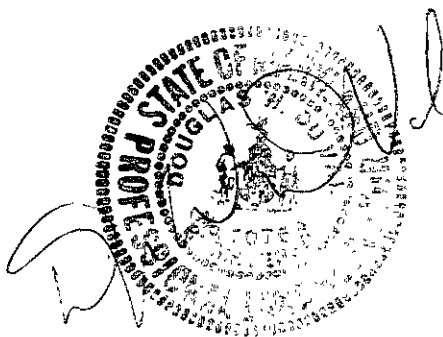
Fax (410) 583-4688

ZONING DESCRIPTION

96-178-X

Beginning at a point on the south side of Yellow Brick Road which is 70 feet wide at the distance of 980 feet east of the centerline of Rossville Boulevard which is 100 feet wide. Thence the following courses and distances: S. $25^{\circ} 56' 34''$ E. 240 ft., S. $21^{\circ} 05' 50''$ W. 19.47 ft., N. $76^{\circ} 19' 11''$ E. 119.08 ft., N. $13^{\circ} 40' 49''$ W. 20 ft., N. $76^{\circ} 19' 11''$ E. 55.73 ft., N. $13^{\circ} 40' 49''$ W. 140.32 ft., S. $76^{\circ} 11' 32''$ W. 26.78 ft., N. $13^{\circ} 48' 28''$ W. 52.13 ft., N. $76^{\circ} 11' 32''$ E. 5.34 ft., N. $13^{\circ} 38' 24''$ W. 8.80 ft., N. $76^{\circ} 24' 51''$ E. 66.25 ft., S. $13^{\circ} 48' 28''$ E. 60.67 ft., N. $76^{\circ} 25' 00''$ E. 69.86 ft., N. $13^{\circ} 35' 00''$ W. 151.43 ft., S. $76^{\circ} 25' 00''$ W. 18.24 ft. and southwesterly by a curve to the left having a radius of 815 ft. for a distance of 319.39 ft. to the place of beginning, as as recorded in Deed Liber 10923, Folio 532.

Being part of Lot 2B in Section 1 in the subdivision of Rossville Industrial Park as recorded in Baltimore County Plat Book #45, Folio 018, containing 65, 956 square feet or 1.5141 acres. Also known as 8835 Yellow Brick Road and located in the ~~2ND~~ Election District.



1624
N.A.M.
J.D.W.D.

#178

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

96-178-X

District: 1584

Date of Posting: 11/18/95

Posted for: Special Excavation

Petitioner: Yellow Baitz LLC

Location of property: 8835 Yellow Baitz Rd

Location of Sign: Facing roadway on property being zoned

Remarks: _____

Signature

M. Kelly

Date of return: _____

11/24/95

Number of Signs: 1



CERTIFICATE OF PUBLICATION

NOTICE OF HEARING

The Zoning Commission of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing on the property identified herein in Room 108 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204, of Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

Case: 1987-170-X
Item: 1701

8834 Yellow Brick Road
863 Yellow Brick Road, 990 E
of of Greenview Boulevard
15th Election District
6th Councilmanic
Legal Owner(s):
Yellow Brick, LLC

Contract Purchaser:
Consolidated Parts and Services, Inc.

Hearing: Tuesday, December 5, 1987 at 11:00 a.m. in Room 108, County Office Building.
Special Exception: for service garage, truck trailer repair.

LAWRENCE E. SCHMIDT
Zoning Commissioner for Baltimore County

NOTES: (1) Hearings are Handicapped Accessible; for special accommodations Please Call 887-3353.
(2) For information concerning the file and/or Hearing, Please Call 887-3391.

11/1/88 Mon. 10 017323

TOWSON, MD.,

David L. 1995

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper published in Towson, Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on June 16, 1995.

THE JEFFERSONIAN,

A. H. Henrichs
LEGAL AD. - TOWSON

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT

NU.

DATE 10/25/95

ACCOUNT 91-615

Item: 178

By: M/K

AMOUNT \$ 335.00

RECEIVED FROM: Consolidated Paris - Services, Inc - 8835 York Rd.
050 - Sp Excess - m - \$ 300.00
080 - 1 sign - \$ 35.00

FOR: \$ 335.00

96-178-X

1240300343MIDW
34 1011F00AN10-24-95 \$335.00

DISTRIBUTION
WHITE - CASHIER

PINK - AGENCY

VALIDATION OR SIGNATURE OF CASHIER
YELLOW - CUSTOMER



Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

ZONING HEARING ADVERTISING AND POSTING REQUIREMENTS & PROCEDURES

Baltimore County zoning regulations require that notice be given to the general public/neighboring property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property and placement of a notice in at least one newspaper of general circulation in the County.

This office will ensure that the legal requirements for posting and advertising are satisfied. However, the petitioner is responsible for the costs associated with these requirements.

PAYMENT WILL BE MADE AS FOLLOWS:

- 1) Posting fees will be accessed and paid to this office at the time of filing.
- 2) Billing for legal advertising, due upon receipt, will come from and should be remitted directly to the newspaper.

NON-PAYMENT OF ADVERTISING FEES WILL STAY ISSUANCE OF ZONING ORDER.

ARNOLD JABLON, DIRECTOR

For newspaper advertising:

Item No.: 178 Petitioner: Consolidated Parts and Services, Inc.

Location: 8835 Yellow Brick Road

PLEASE FORWARD ADVERTISING BILL TO:

NAME: Newton A. Williams of Nolan, Plumbhoff, + Williams

ADDRESS: 700 Court Towers

210 W. Pennsylvania Ave, Towson, MD 21204

PHONE NUMBER: 823-7800

6/21/11 11:23:13

TO: PUTTICK PUBLISHING COMPANY
November 16, 1995 Issue - Jeffersonian

Please forward billing to:

Newton A. Williams
Nolan, Plumbhoff & Williams
700 Court Towers
210 W Pennsylvania Avenue
Towson, MD 21204
823-7800

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in
Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204
or
Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

CASE NUMBER: 96-178-X (Item 178)
8835 Yellow Brick Road
S/S Yellow Brick Road, 980' E of c/l Rossville Boulevard
15th Election District - 6th Councilmanic
Legal Owner: Yellow Brick, LLC
Contract Purchaser: Consolidated Parts and Services, Inc.

Special Exception for service garage, truck trailer repair.

HEARING: TUESDAY, DECEMBER 5, 1995 at 11:00 a.m. in Room 106, County Office Building.

LAWRENCE E. SCHMIDT
ZONING COMMISSIONER FOR BALTIMORE COUNTY

NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.
(2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, PLEASE CALL 887-3391.

MICROFILMED



Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

November 7, 1995

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in
Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204
or
Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

CASE NUMBER: 96-178-X (Item 178)
8835 Yellow Brick Road
S/S Yellow Brick Road, 980' E of c/l Rossville Boulevard
15th Election District - 6th Councilmanic
Legal Owner: Yellow Brick, LLC
Contract Purchaser: Consolidated Parts and Services, Inc.

Special Exception for service garage, truck trailer repair.

HEARING: TUESDAY, DECEMBER 5, 1995 at 11:00 a.m. in Room 106, County Office Building.

A handwritten signature in cursive script, appearing to read "Arnold Jablon".

Arnold Jablon
Director

cc: Yellow Brick, LLC
Consolidated Parts and Services, Inc.
Newton A. Williams, Esq.

NOTES: (1) ZONING SIGN & POST MUST BE RETURNED TO RM. 104, 111 W. CHESAPEAKE AVENUE ON THE HEARING DATE.
(2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.
(3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THIS OFFICE AT 887-3391.





Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

November 30, 1995

Newton A. Williams, Esquire
Nolan, Plunhoff & Williams
700 Court Towers
210 W. Pennsylvania Avenue
Towson, MD 21204

RE: Item No.: 178
Case No.: 96-178-X
Petitioner: Yellow Brick, LLC

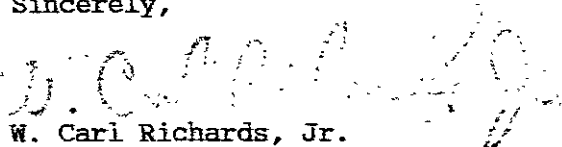
Dear Mr. Williams:

The Zoning Advisory Committee (ZAC), which consists of representatives from Baltimore County approval agencies, has reviewed the plans submitted with the above referenced petition, which was accepted for processing by Permits and Development Management (PDM), Zoning Review, on October 25, 1995.

Any comments submitted thus far from the members of ZAC that offer or request information on your petition are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties (zoning commissioner, attorney, petitioner, etc.) are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. Only those comments that are informative will be forwarded to you; those that are not informative will be placed in the permanent case file.

If you need further information or have any questions regarding these comments, please do not hesitate to contact the commenting agency or Joyce Watson in the zoning office (887-3391).

Sincerely,


W. Carl Richards, Jr.
Zoning Supervisor

WCR/jw
Attachment(s)

11/30/95



BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director, PDM

DATE: November 13, 1995

FROM: Pat Keller, Director, OP

SUBJECT: 8835 Yellow Brick Road

INFORMATION:

Item Number: 178

Petitioner: Yellow Brick, LLC

Property Size: _____

Zoning: ML-IM

Requested Action: Special Exception

Hearing Date: / /

SUMMARY OF RECOMMENDATIONS:

Should the applicant's request be granted, staff recommends a condition requiring street trees along Yellow Brick Road be placed in the Order.

Prepared by: Jeffrey W. Long

Division Chief: Gary L. Kerne

PK/JL

BALTIMORE COUNTY, MARYLAND
I N T E R O F F I C E C O R R E S P O N D E N C E

TO: Arnold Jablon, Director DATE: Nov. 16, 1995
 Zoning Administration and Development Management

FROM: *RWB* Robert W. Bowling, P.E., Chief
 Development Plans Review Division

RE: Zoning Advisory Committee Meeting
 for November 13, 1995
 Item No. 178

The Development Plans Review Division has reviewed the subject zoning item. A schematic landscape plan should be submitted with this request.

RWB:sw

Baltimore County Government
Fire Department



700 East Joppa Road Suite 901
Towson, MD 21286-5500

(410) 887-4500

DATE: 11/07/95

Arnold Jablon
Director
Zoning Administration and
Development Management
Baltimore County Office Building
Towson, MD 21204
MAIL STOP-1105

RE: Property Owner: YELLOW BRICK, LLC

LOCATION: S/S YELLOW BRICK RD., 980' E OF CENTERLINE ROSSVILLE BLVD.
(8835 YELLOW BRICK RD.)

Item No.: 178

Zoning Agenda: SPECIAL EXCEPTION

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

4. The site shall be made to comply with all applicable parts of the Fire Prevention Code prior to occupancy or beginning of operation.

5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "Life Safety Code", 1991 edition prior to occupancy.

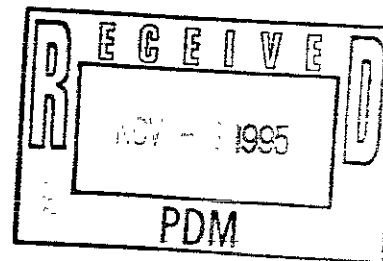
11/13/1995

REVIEWER: LT. ROBERT P. SAUERWALD
Fire Marshal Office. PHONE 887-4261, MS-1102F



cc: File

Printed on Recycled Paper





**Maryland Department of Transportation
State Highway Administration**

David L. Winstead
Secretary
Hal Kassoff
Administrator

11-6-95

Ms. Joyce Watson
Baltimore County Office of
Permits and Development Management
County Office Building, Room 109
Towson, Maryland 21204

RE: Baltimore County
Item No. 178 (MSK)

Dear Ms. Watson:

This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not affected by any State Highway Administration projects.

Please contact Bob Small at 410-333-1350 if you have any questions.

Thank you for the opportunity to review this item.

Very truly yours,

for *Bob Small*
Ronald Burns, Chief
Engineering Access Permits
Division

BS/es

My telephone number is _____

Maryland Relay Service for Impaired Hearing or Speech
1-800-735-2258 Statewide Toll Free

Mailing Address: P.O. Box 717 • Baltimore, MD 21203-0717
Street Address: 707 North Calvert Street • Baltimore, Maryland 21202

11-6-95

PETITION PROBLEMS

#175 --- JRA

1. Petition says zoning is D.R.-3.5, D.R.-5.5, and D.R.-10.5; folder says zoning is D.R.-3.5 -- Which is correct?

#178 --- MJK

1. No telephone number for legal owner.

#179 --- JLL

1. No property description on folder.

#180 --- JCM

1. No zip code for legal owner.
2. Notary section is incomplete -- only one signature was notarized.

#183 --- JJS

1. No zoning indicated on petition form.

RE: PETITION FOR SPECIAL EXCEPTION * BEFORE THE
3835 Yellow Brick Road, S/S Yellow Brick *
Road, 980' E of c/l Rossville Blvd. * ZONING COMMISSIONER
15th Election District, 6th Councilmanic * OF BALTIMORE COUNTY
Legal Owner: Yellow Brick, LLC
Contract Purchaser: Consolidated Parts and Services, Inc.
Petitioners * CASE NO. 96-178-X

* * * * *

ENTRY OF APPEARANCE

Please enter the appearance of the People's Counsel in the above-captioned matter. Notice should be sent of any hearing dates or other proceedings in this matter and of the passage of any preliminary or final Order.

Peter Max Zimmerman

PETER MAX ZIMMERMAN

People's Counsel for Baltimore County

Carole S. Demilio

CAROLE S. DEMILIO

Deputy People's Counsel

Room 47, Courthouse

400 Washington Avenue

Towson, MD 21204

(410) 887-2188

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 30th day of November, 1995, a copy of the foregoing Entry of Appearance was mailed to Newton A. Williams, Esquire, Nolan, Plunhoff & Williams, 210 W. Pennsylvania Avenue, Suite 700, Towson, MD 21204, attorney for Petitioners.

Peter Max Zimmerman

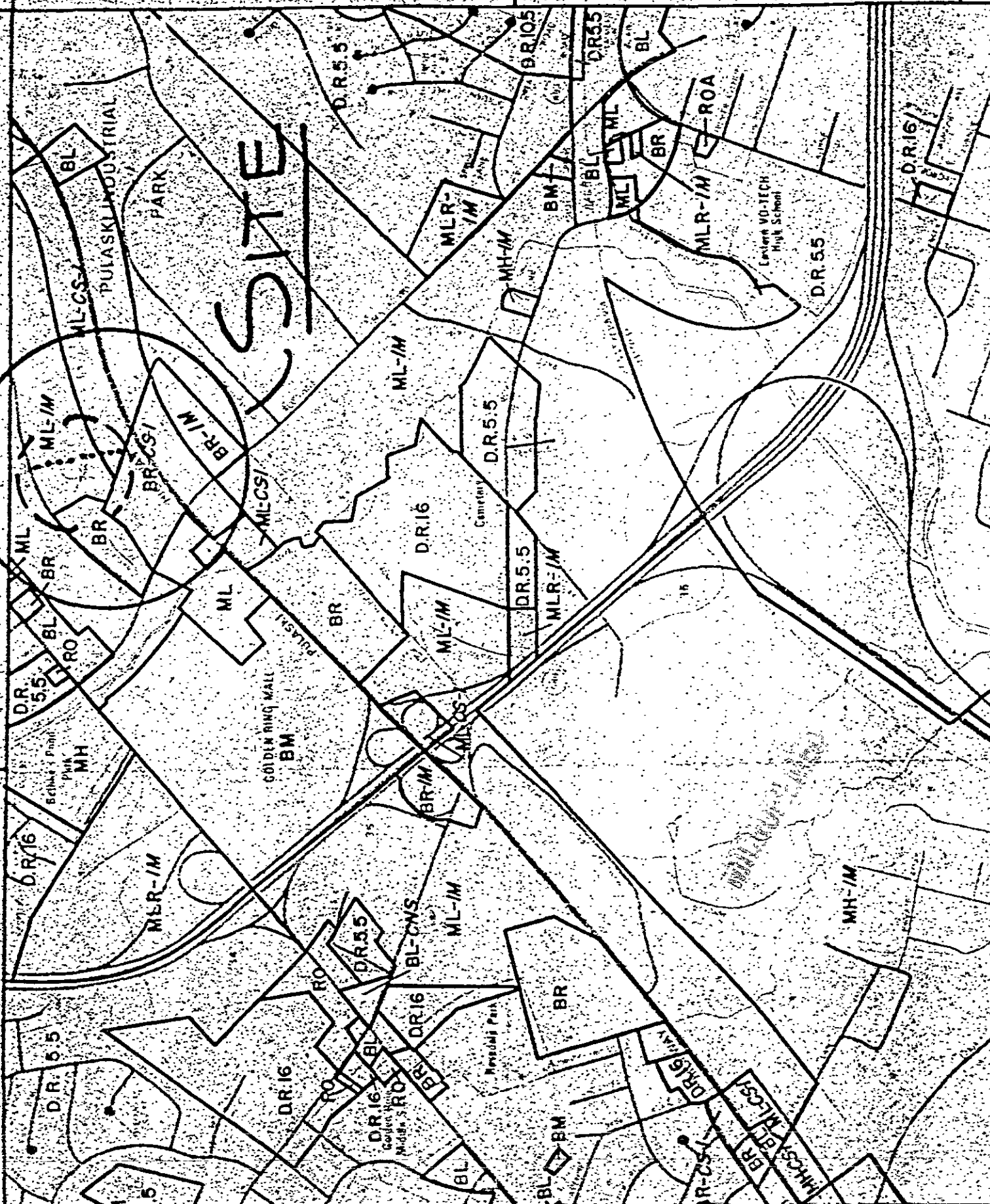
PETER MAX ZIMMERMAN

96-178-7 # 178

4

3

SITE



Q. Jimmy Hays

B. 8887 Yellow Buick Rd.

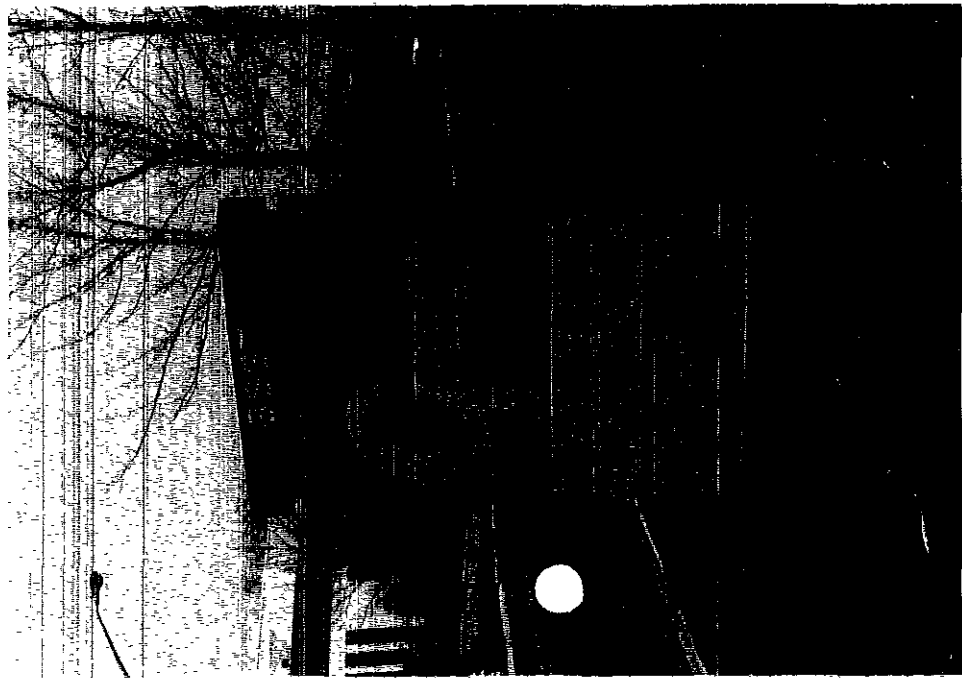
Green Contracting Company
on left
and
Consolidated Buick on right

Case # 96-178-X

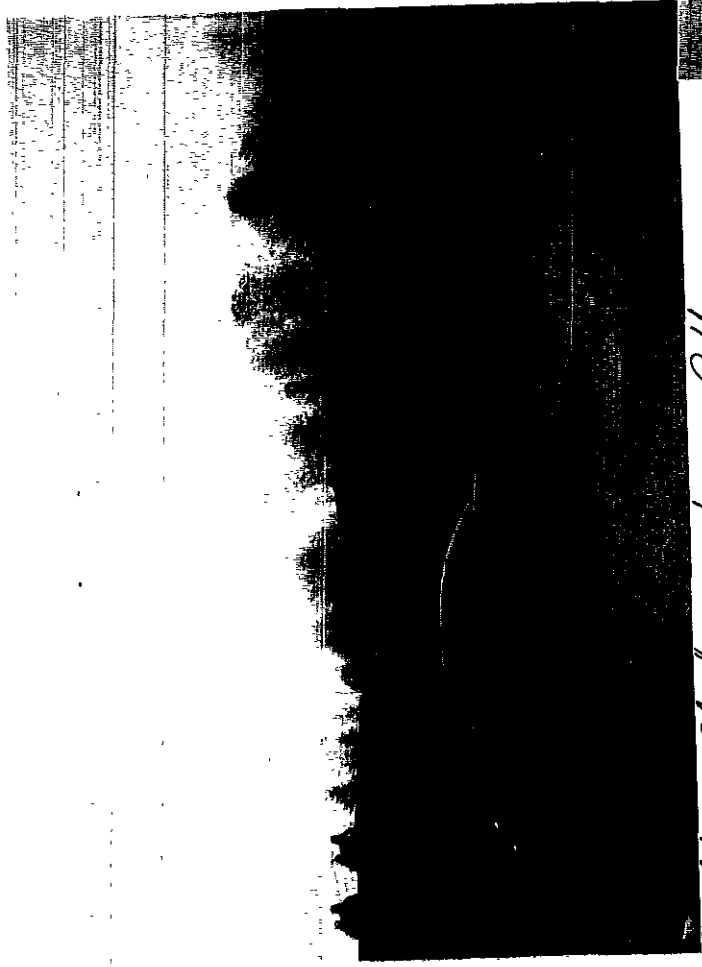
Yellow Buick LLC
and.

Consolidated Buick and Buick, Inc.
5/5 Yellow Buick Rd.
N/E of Knoxville Blvd.

EXHIBIT 2



C. Frontage sign & Note
 T res - close to sign



D. Storage Yard on S/S of Bldg. —
 Note slot fence - green —



E. W/S Yellow-Brick Rd. Entrance &
 Rotted, Seamed Storage Yard.



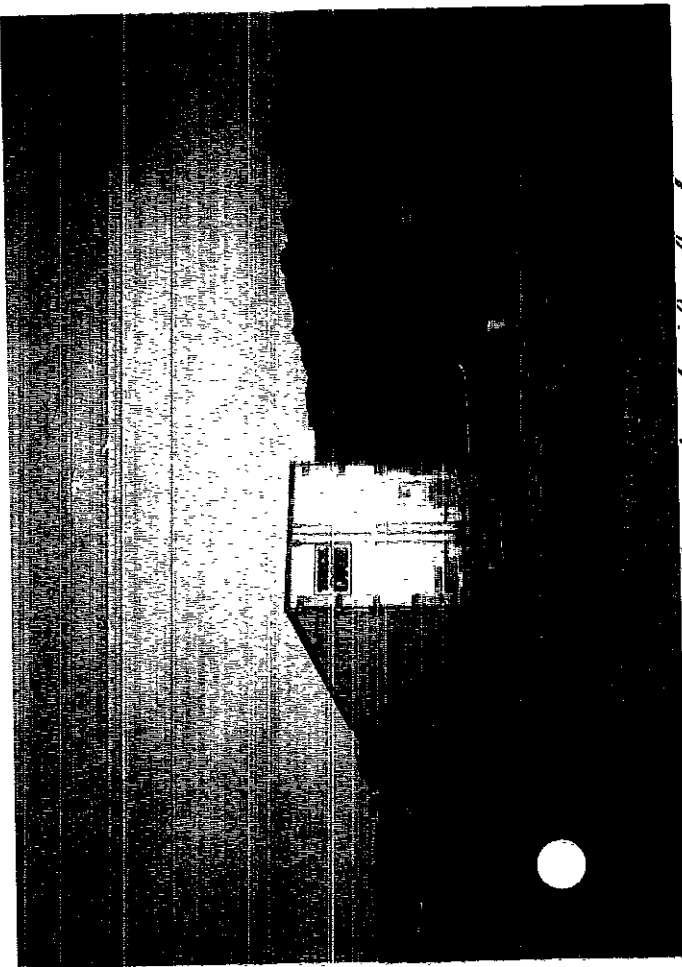
F. View into yard, looking South
with gates open.



G. View looking North from yard showing
Yellow Brick Road and Mini warehouses.



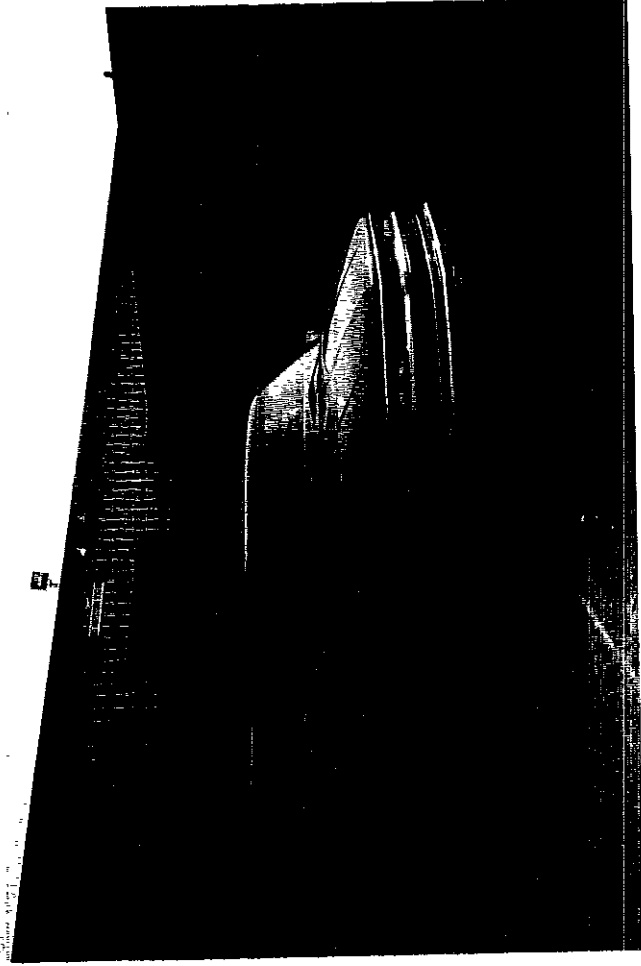
H. w/s of Bldg from yard
showing Consolidated & 3 Doms.



I. NE/c of yard note trailer body on jacks



J. Further of NE/c of yard note hidden dumpster.



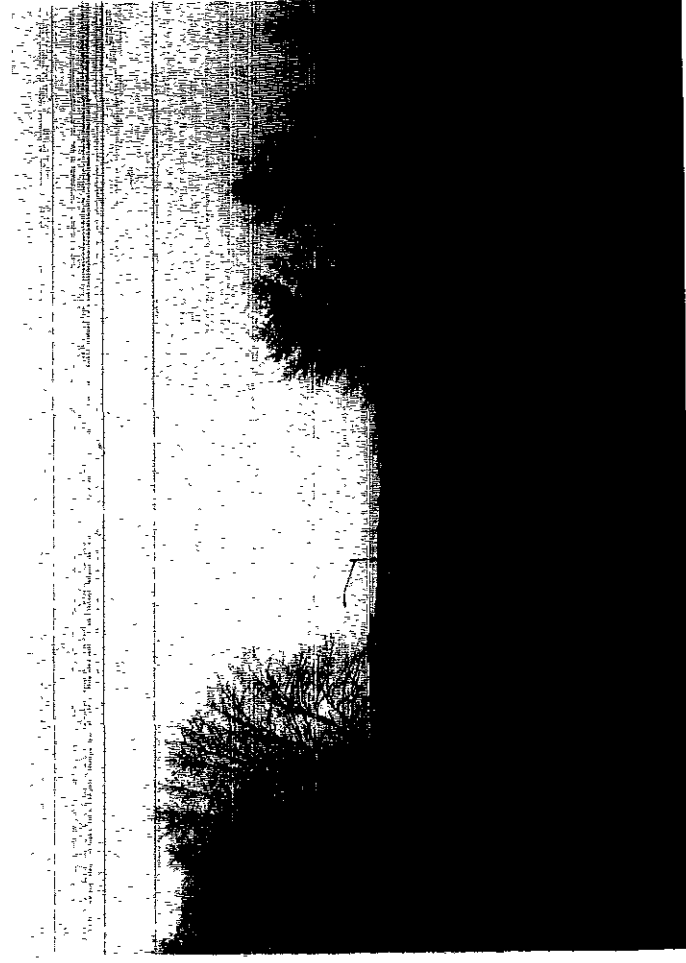
K. One of Consolidated Delivery Trucks



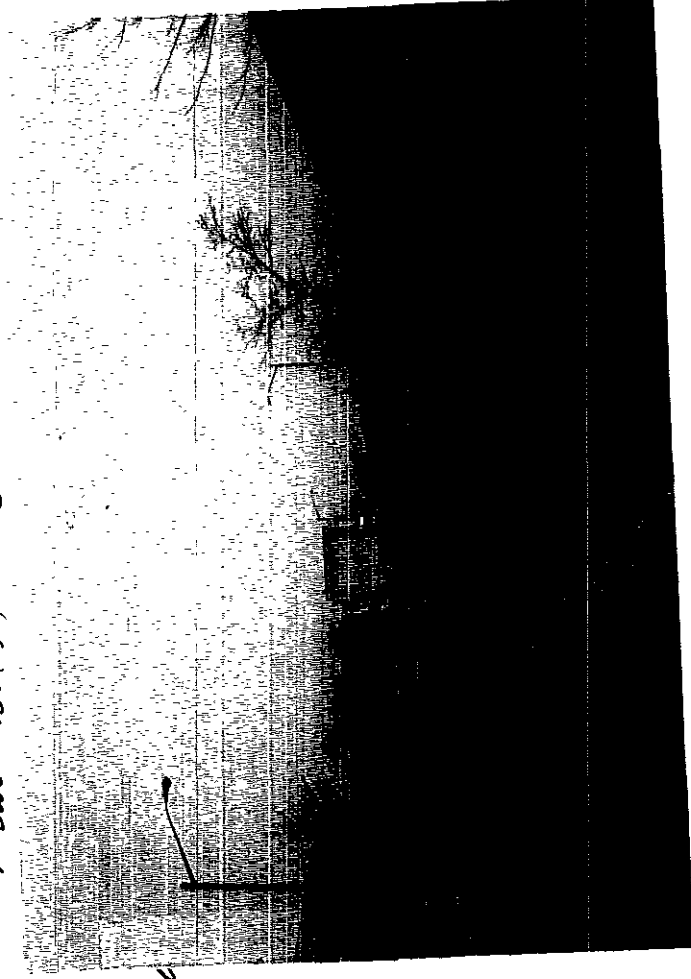
L. Looking S on Yellow Brick Road
Rossville Blvd.



N. Looking E
from W entrance
Note
Street Trees

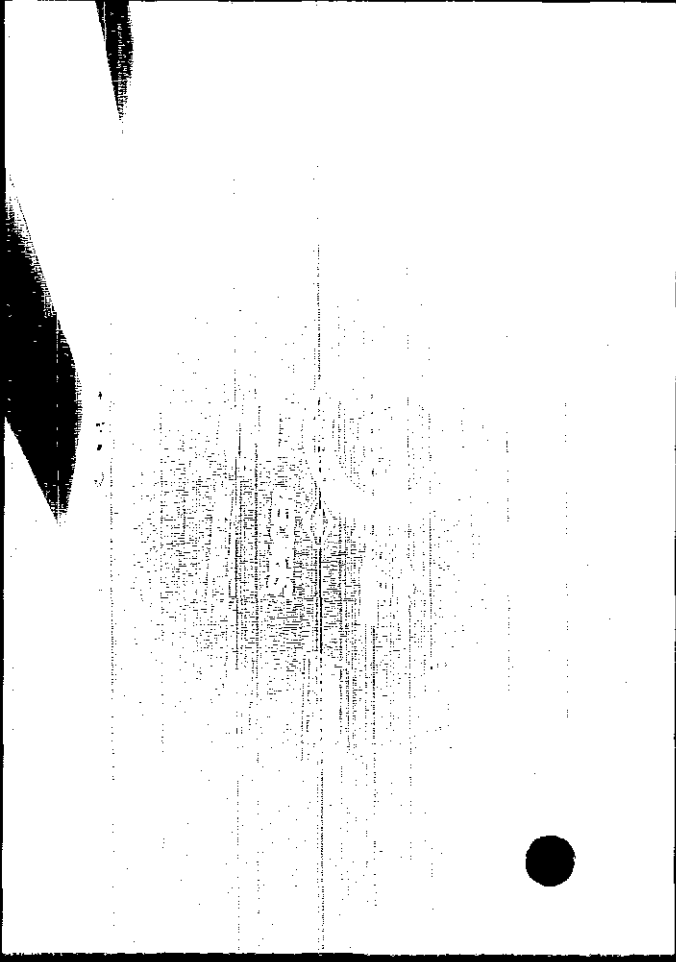


M. Looking SW around curve from C/L
of Yellow Brick Rd., Golden Ring
Mall in extreme background.

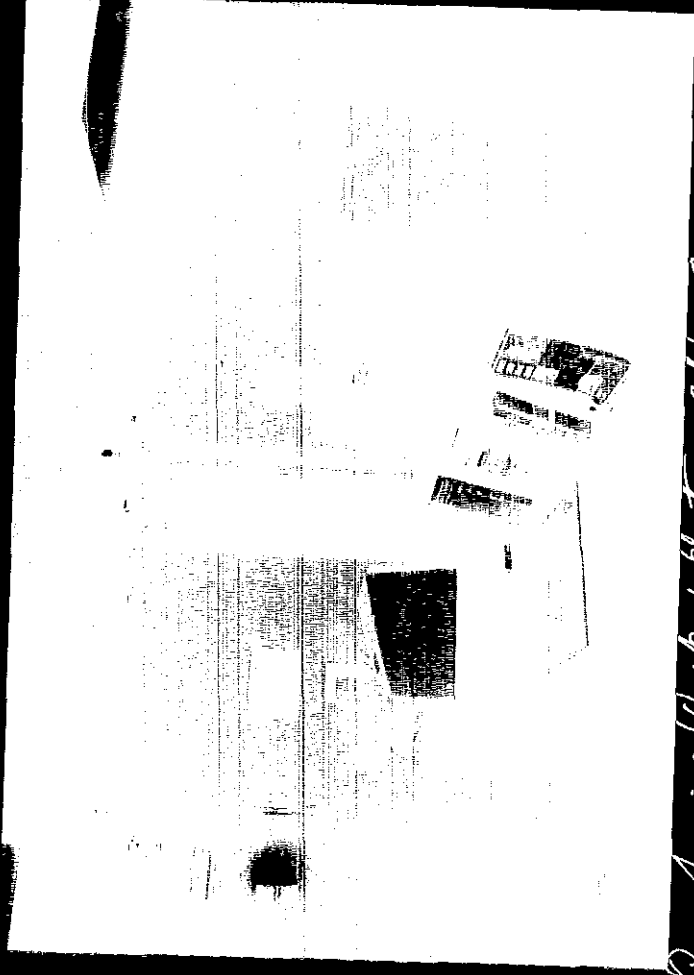


O. Looking E/NE
from C/L
of Yellow Brick Rd.
Note Street
Trees.

11-11-11



P. Product Logo on Wall at Service
Dubs.



P. Service Desk & Entrance Door



P. Service
Desk View
of Office



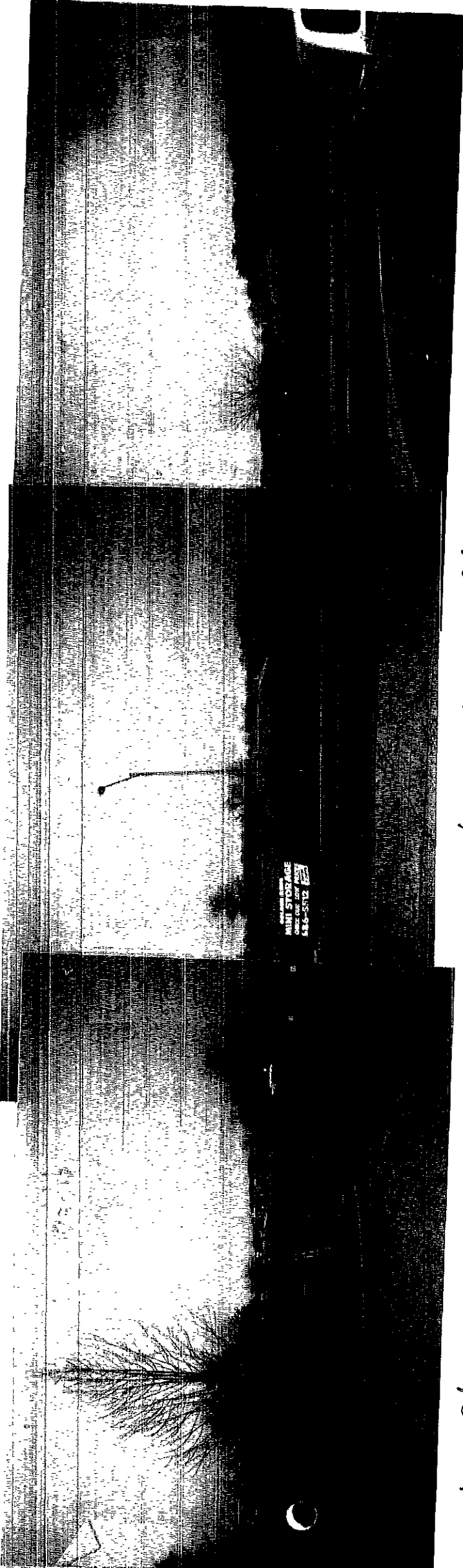
S. Looking from
other side
Service Desk
in Right
Background



T. Frost Parking Area Looking West.



U. Frost Parking Looking E, note belly.
Shrubbery.



U, View of Mini Storage Facility on W/S of Yellow-Brick Rd. from West Overway



Note Street Trees.

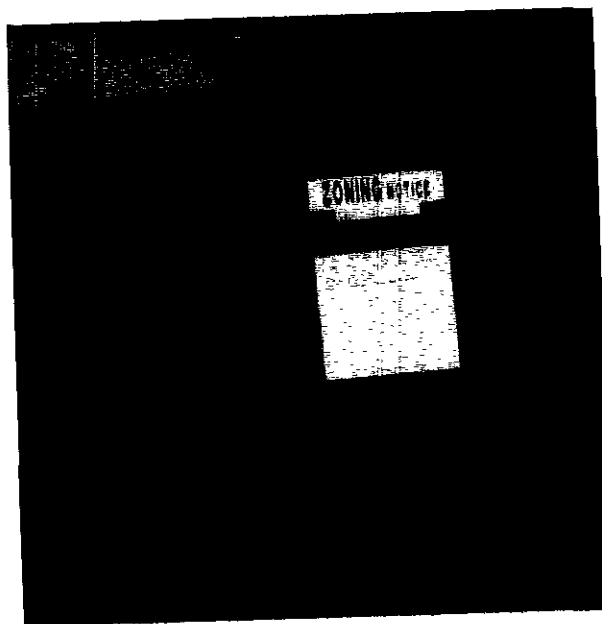


Note Sign

9/20/2013 11:00 AM

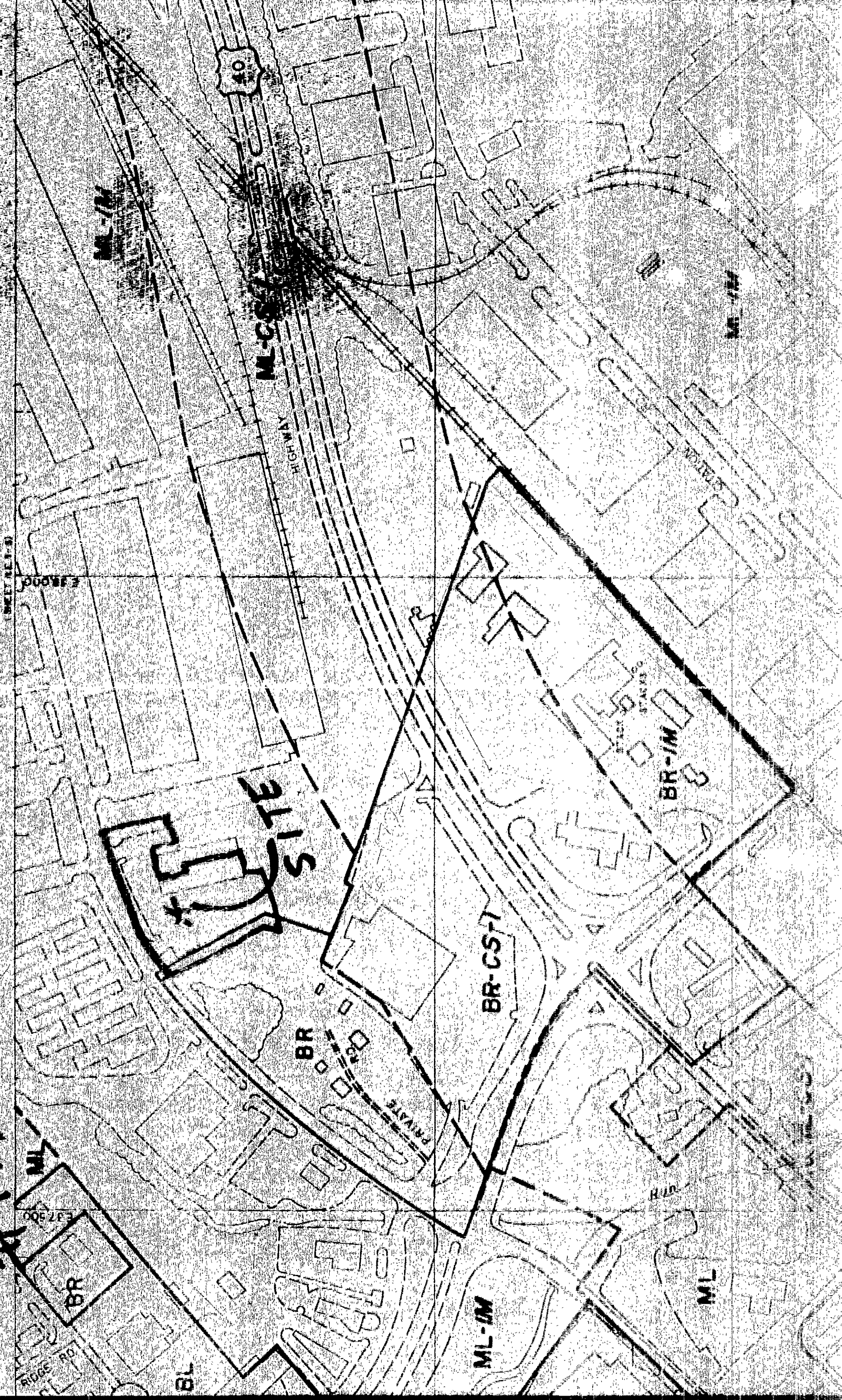


X. Consolidated Warehouse
Sign at NW/C of Bldg.
with Freeway, I.P.



NE 40

#178





CONSOLIDATED PARTS & SERVICE, INC.

YOUR COMPLETE PARTS & SERVICE CENTER

800-B. RACE ROAD • BALTIMORE, MARYLAND 21221 • PHONE (410) 574-4404 • FAX (410) 574-4408

PRODUCT LINES



- AIR BRAKE COMPONENTS
- AIR CHAMBERS & VALVES
- BEARINGS, OIL SEALS
HUB CAPS & HUBODOMETERS
- BODY COMPONENTS
- BRAKE PARTS & ACCESSORIES
- BRAKE SHOES & HARDWARE KITS
- BRASS FITTINGS
- CAMSHAFTS & BUSHING KITS
- CHAIN & BINDERS
- DOCK BUMPERS
- DOCUMENT HOLDERS
- ELECTRIC PLUGS & RECEPTACLES
- FASTENERS
- FIRE EXTINGUISHERS
- KING PINS & KING PIN LOCKS
- LANDING GEAR ACCESSORIES
- LIGHTS, MIRRORS & REFLECTORS
- LOAD LOCK BARS - ALUMINUM & STEEL
- LOGISTICS E & F TRACK, STRAPS & BEAMS

- MINIATURE LIGHT BULBS
- MUD FLAPS & MOUNTING BRACKETS
- OVERHEAD DOORS & PARTS
- PINTLE HOOKS
- PLYMETAL DOORS, GASKET & FRAMING
- PLYWOOD SHEETS
- SCUFF LINERS - FIBERGLASS,
WOOD, STEEL & ALUMINUM
- SIDE KITS & ACCESSORIES
- SIGNS, PLACARDS, DECALS
- TAPES, CAULKS & ADHESIVES
- TANK FENDERS & COMPONENTS
- TARPS & TARP SYSTEMS
- TRAILER SPRINGS & SUSPENSIONS
- TWIST PINS & COMPONENTS
- WHEELS & DRUMS
- WIRE & WIRE CONNECTORS
- WOOD FLOORING - LAMINATED
OAK & APITONG
- SHOP SERVICES - TRAILER REPAIR
ALUMINUM & STEEL WELDING



1-800-875-CPS1 (2771)

PETITIONER'S
EXHIBIT 3



APPROVED



STEMCO-ENGLER HUBODOMETERS

Work with the best for
maximum accuracy,
dependability

Learn from over 40
years of Stemco
manufacturing
experience

Warranted for
100,000 miles

New part number
identification for
reduced inventory



1. Independent mainshaft reduces failure caused by frontal impact.
2. Spring-loaded counterweight effectively reduces spin.
3. Externally pinioned odometer mechanism utilizes low friction molded components.



Stemco
Truck Products Division
Coltec Industries



Use A Hubodometer For Increased Profits

Know to the mile when to perform preventive maintenance on your trailers or trucks.

Have an accurate record for lease charges.

Use to calculate costs per mile, set customer charges, and validate guarantees.



Industry Leader

The Stemco-Engler® Hubodometer is the industry leader. Today's hubodometer is the product of more miles traveled, more units in service than any other brand available.

300,000 Mile Warranty

Each Stemco-Engler® Hubodometer is warranted for 300,000 miles when installed in accordance with its specifications.

Stemco does not authorize the rebuilding of its hubodometer, or warrant any rebuilt model.

Guaranteed Accuracy to $\pm 2\%$

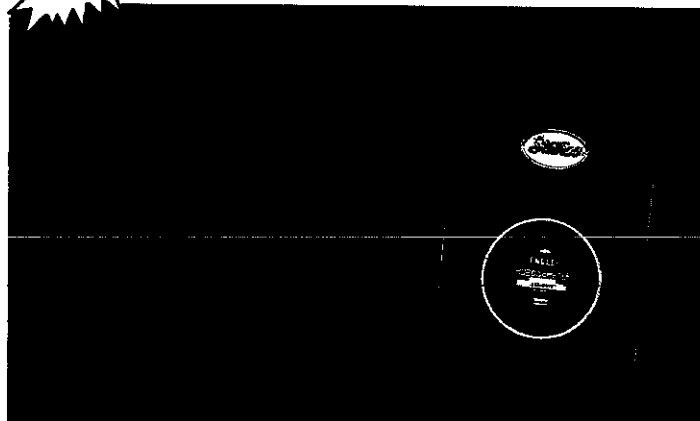
Each Stemco-Engler® Hubodometer is guaranteed to be accurate within $\pm 2\%$ over the tread life of the tire. This high degree of accuracy is based on a number of factors. They include:

- More calibrations to provide you with the most accurate hubodometer for each tire application.
- Exclusive counterweight design virtually eliminates spinning from bumps or pothole jars.
- An independent mainshaft reduces failure from frontal impact.
- Worm drive rotates parts less frequently, reducing wear.
- The unit is permanently sealed at the factory in a moisture and contaminant-free environment.

Pre-Set Service

Stemco-Engler® offers the service of pre-setting hubodometer readings. To request a pre-set hubodometer, contact Customer Service at 1-800-527-8492 with specifications. No minimum quantities are required to obtain this service.

Presets shipped within three work days after order entry!



For More Information: Stemco Inc

P.O. Box 1989 • Longview, TX 75606-1989
1-800-527-8492 1-903-758-9981
FAX 903-236-7527 TELEX 73-5433

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Consolidated Parts & Service, Inc.

Your Complete Parts & Service Center
800-B Race Road
Baltimore, Maryland 21221-3114

Part No 571-2880
ST91420/10M

SPICER[®] LINED BRAKE SHOES



ALL-AMERICAN BLUE. Engineered to provide safe, consistent and reliable performance time and time again, on your truck or trailer. AA Blue is designed to safely stop vehicles grossing up to 92,500 lbs. using two drive and two trailer axles in combination with a 12,500 lbs. steering axle.

AA BLUE FEATURES . . .

- ★ Great flexibility.
- ★ High structural strength.
- ★ Extreme toughness to sustain the most severe operating conditions and still get the job done.
- ★ Gives optimum service life and provides superior lining life and drum wear.

OEM CERTIFIED All-American linings are the highest quality products available. And each meets Spicer's rigid requirements for safe, consistent, reliable, and predictable performance.

At Spicer, quality is never compromised. And as always, we remain dedicated to providing your fleet with the safest and most dependable brakes anywhere.

MADE IN THE USA All of our non-asbestos linings are made here in the U.S.A. We produce the highest quality products available, and compete worldwide.

FRICTION CODE FF
GAWR 20,000 LBS.
A / L FACTOR 165 or 180
ROLLING RADIUS 21.1"
BRAKE TYPE S-CAM



AA All-American Trade Name

OEM This lining has passed a Spicer quality audit and is OEM Approved.

BLUE The product name Blue

FF This material has been registered with the AAMVA-A state requirement and has a coefficient of friction rating of FF.

20K This material has passed the FMVSS 121 stopping distance requirement at 20,000 lbs.

www.spicer.com

OEM BRAKE LINING CERTIFICATION CHART

AFTERMARKET LININGS

GAWR A / L FACTOR	19,000 165	20,000 180	20,000 165	SPECIAL APPLICATIUN
ABEX	—	6008-1	685	685
ALL-AMERICAN	—	BLUE WHITE	BLUE WHITE	RED
CARLISLE	—	MB21 HD2A	MB21 HD2A	HD1L
FERODO	—	HP & ST BB & SG	HP & ST BB & SG	—
GREY ROCK	—	GRS2015-1	GRS2015-2	GRS2020
QUALITY ASSURED	GREEN	SILVER	YELLOW	—

OEM LININGS

GAWR A / L FACTOR	19,000 165	20,000 180	20,000 165	SPECIAL APPLICATION
ABEX	—	3030-197 3030-160	931-162	931-162
ALL-AMERICAN	—	BLUE WHITE	BLUE WHITE	RED
CARLISLE	—	MB21 E145A	MB21 E145A	9ML
FERODO	—	718 BB & SG	718 BB & SG	—
GREY ROCK	—	DNS2015-1	DNS2015-2	DNG2020
QUALITY ASSURED	GREEN	SILVER	YELLOW	—

For further information :

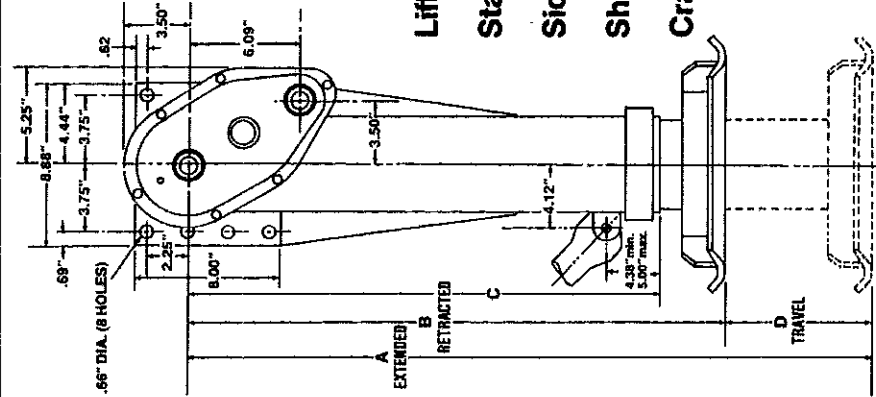
Distributor Imprint:

Dana Corporation
Drivetrain Service Division
P.O. Box 321
Toledo, Ohio 43697-0321

SPICER®



HEAVY DUTY MARK V



FEATURES

Reinforced upper and lower leg.

Reinforced bearing block.

Heavy duty reinforced foot pads.

CAPACITY SPECIFICATIONS

Lift Capacity..... 50,000 lbs.

Static Capacity..... 180,000 lbs.

Side Load Capacity..... 19,000 lbs.

Shipping Weight..... 236 lbs.

Crank Turns Per Inch.. 25:1 low speed
4:1 high speed

LANDING GEAR DIMENSIONS

SELF-LEVELING FOOT

MODEL NO.	A DIM	B DIM	C DIM	D DIM
LG75H-1A012	41.9"	28.4"	24.5"	13.5"
LG75H-2A012	44.9"	29.9"	26.0"	15.0"
LG75H-3A012	47.9"	31.4"	27.1"	16.5"
LG75H-4A012	50.1"	32.5"	28.3"	17.6"

STANDARD SKID FOOT

MODEL NO.	A DIM	B DIM	C DIM	D DIM
LG75H-1A212	41.7"	29.7"	24.5"	12.0"
LG75H-2A212	44.7"	31.2"	26.0"	13.5"
LG75H-3A212	47.7"	32.3"	27.1"	15.4"
LG75H-4A212	50.0"	33.5"	28.3"	16.5"

ORDERING INFORMATION

BASIC MODEL NUMBER	TRAVEL CODE	FOOTWARE
STEP 1	STEP 2	STEP 3
STEP 1. ORDER LANDING GEAR MODEL NUMBER	STEP 2. SELECT TRAVEL LENGTH CODE	STEP 3. SELECT FOOTWARE

TRAVEL	CODE	TRAVEL	CODE
SELF LEVELER	SKID FOOT		
13.5"	1A	12.0"	1A
15.0"	2A	13.5"	2A
16.5"	3A	15.4"	3A
17.6"	4A	16.5"	4A

FOOTWARE	CODE	DIMENSIONS
Self leveler	012	2.2"x14"x14"
Skid foot	212	4.0"x10"x16"

* Landing gear set includes: cross shaft
XA-V-1910, crank XA-V-90-0, crank hanger
XA-V-1914, brace ears (2 req.) XA-V-1938,
cross shaft and crank hardware.

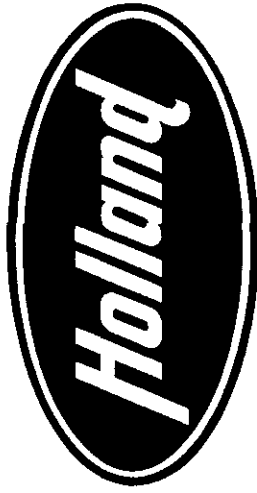
These products are covered by Holland's 5-year parts and 2-year labor warranty. Holland reserves the right, without giving prior notice, to change specifications and dimensions as designs are altered or improved.

Copyright © 1992 Holland Hitch Company

Holland Hitch Co. Holland, MI 49423 (616) 396-5501 FAX (616) 396-1511	Holland Hitch of New Jersey Whitehouse Station, NJ 08889 (908) 534-4162 FAX (908) 534-5271	Holland Hitch of Texas, Inc. Wylie, TX 75098 (214) 442-3556 FAX (214) 442-2092	The Binkley Co. Warren, MO 63383 (314) 456-3455 FAX (314) 456-7900	Holland Hitch of Canada, Ltd. Woodstock, Ontario N4S 7Z5 (519) 537-3494 FAX (519) 537-5447
Holland Equipment Ltd. Schloss Holte Germany (519) 863-2398 FAX (519) 863-2398	Holland Hitch Western, Ltd. Surrey, BC V3S 5K1 (604) 574-7491 FAX (604) 574-0244	Eurohitch, GmbH Tiplon, Switzerland (21) 520-6116 FAX (21) 520-6070	Nippon Holland, Ltd. Tokyo, Japan (33) 463-0941 FAX (33) 463-1407	Holland Hitch (Aust.), Ltd. Melton, Victoria, Australia (3) 743-6799 FAX (3) 743-6763

MARK V

L A N D I N G G E A R S



RUGGED, HEAVY GAUGE
CONSTRUCTION

DURABLE,
PERFORMANCE-PROVEN
DESIGN

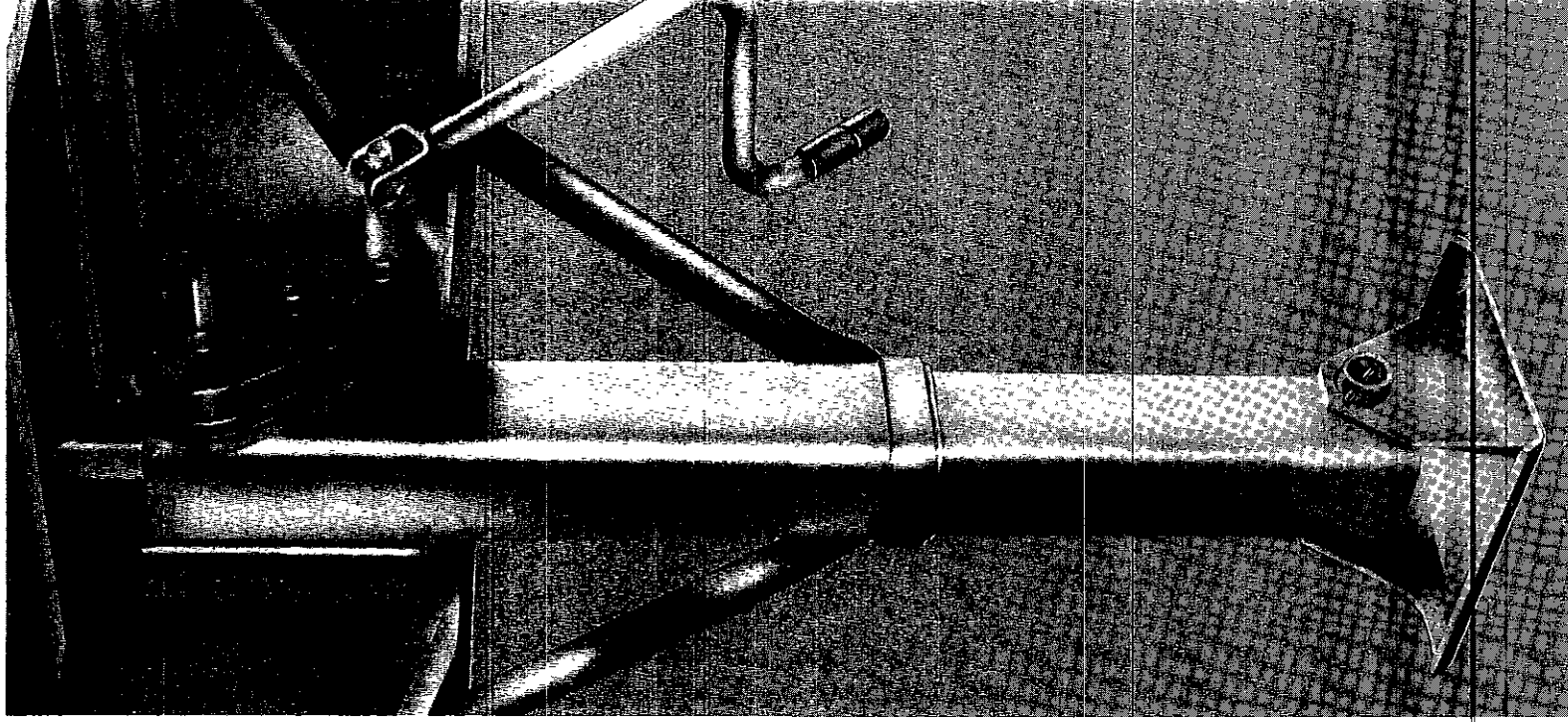
SMOOTH, EASY,
EFFICIENT LIFTING

WIDEST VARIETY OF
MODELS FOR EVERY
APPLICATION

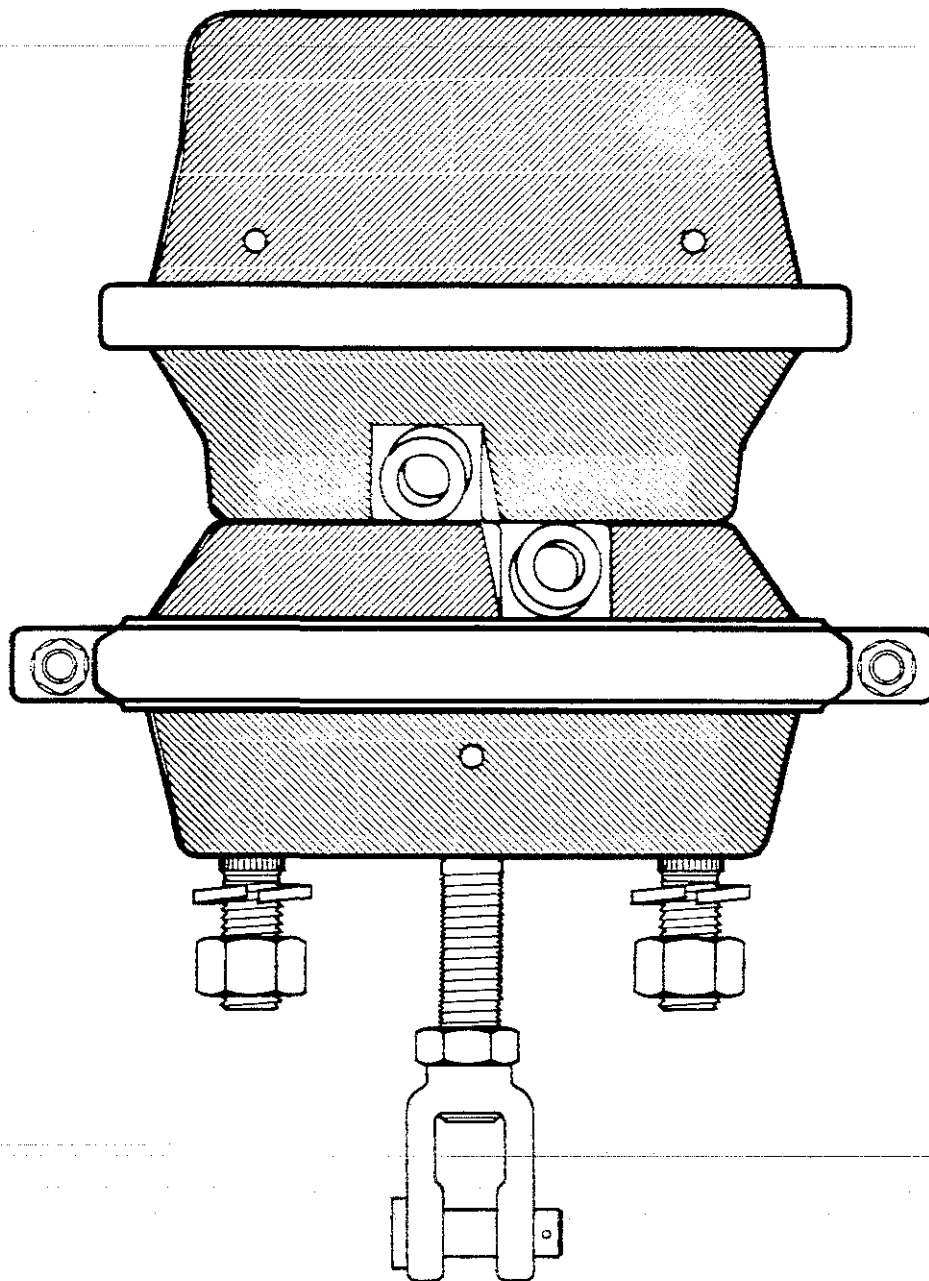
UNMATCHED LOAD
BEARING AND LATERAL
LOAD STRENGTH

E N G I N E E R E D
E X C E L L E N C E

...to go the distance



BLACK MAX II



**BLACK MAX, THE ACKNOWLEDGED LEADER OF
SPRING BRAKE INNOVATIVE FEATURES, IS
CONTINUING WITH ITS TRADITION!**



PREMIER

RE-PRO[®] Dump Liner Systems



*World Leader in
Dump Liner Technology*

IN RE: PETITION FOR SPECIAL EXCEPTION * BEFORE THE
3/5 Yellow Brick Road, 980' E of * DEPUTY ZONING COMMISSIONER
the c/l of Rossville Boulevard (8835 Yellow Brick Road)
15th Election District * OF BALTIMORE COUNTY
6th Councilmanic District * Case No. 96-178-X
Yellow Brick, LLC
Petitioner

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Deputy Zoning Commissioner as a Petition for Special Exception for that property known as 8835 Yellow Brick Road, located in the vicinity of Rossville Boulevard and Golden Ring Mall in Rossville. The Petition was filed by the owner of the property, Yellow Brick, LLC, by Marcia A. Roof, an Officer, and the Contract Purchaser/Lessee, Consolidated Parts and Services, Inc., by Dale Cole, Jr., also an Officer. The Petitioners seek approval to use the subject property for a service garage and truck trailer repair facility. The subject property and relief sought are more particularly described on the site plan submitted which was accepted and marked into evidence as Petitioner's Exhibit 1.

Appearing at the hearing on behalf of the Petition were representatives of Yellow Brick, LLC, legal owners of the property, and representatives of Consolidated Parts and Services, Inc., the Contract Lessee. The Petitioners were represented by Newton A. Williams, Esquire. There were no Protestants present.

Testimony and evidence offered revealed that the property which is the subject of the special exception request is part of a larger tract of land containing 3.961 acres, which is split zoned B.R., M.L.-I.M., and M.L.-C.S.-1. The special exception area consists of 1.514 acres, more or less, and is presently improved with a 1 and 1/2 story metal building and

attached 1 story building. The Petitioners are desirous of leasing the subject 1.514 acres to Consolidated Parts and Services who wish to establish a service garage and truck trailer repair facility on the property. Testimony indicated that Consolidated Parts and Services recently relocated their business to the subject site after having operated in a more remote location on Race Road, adjacent to the old Golden Ring Swimming Pool. Many of their clients had a difficult time finding their business. Testimony indicated that their old location was somewhat desolate and more appropriate for use by high school kids as a lover's lane. Thus, they relocated to this site for better access and visibility.

Further testimony revealed that Consolidated Parts and Services, Inc. is in the business of servicing and repairing the trailers of tractor trailer trucks. The Petitioners do not service the diesel tractors which pull these trailers, but rather, they service the trailer portions, only, of those trucks. Testimony indicated that their service includes replacing brake systems, axles and wheels, etc., associated with these trailers. The trailers to be serviced are stored in the rear portion of the subject site, behind adequately screened fencing. Furthermore, much of the actual service work takes place within the existing building on the site. It should also be noted that the owners of the property utilize a portion of the building for their own business offices. The Owners testified that Consolidated Parts and Services, Inc. operates a neat, clean and quiet business which does not detract from their utilization of the property.

All parties at the hearing agreed that the special exception use herein shall be limited to the service and repair of the trailer portion of tractor trailer trucks, and not the diesel tractors that pull these trailers over the highways. This will ensure that the service garage

operation remains quiet and clean and will not impose a nuisance upon the surrounding uses. Furthermore, pursuant to discussions at the hearing, the Petitioners have agreed to provide some additional street trees in the landscape island located along Yellow Brick Road in front of the property. Therefore, pursuant to his Order, an appropriate restriction shall be imposed to ensure that the Petitioners provide an additional three or four trees in the grassy area along Yellow Brick Road. The remainder of the site is adequately landscaped and will not require additional planting.

It is clear that the B.C.Z.R. permits the use proposed in a M.L.-I.M. zone by special exception. It is equally clear that the proposed use would not be detrimental to the primary uses in the vicinity. Therefore, it must be determined if the conditions as delineated in Section 502.1 are satisfied.

The Petitioner had the burden of adducing testimony and evidence which would show that the proposed use met the prescribed standards and requirements set forth in Section 502.1 of the B.C.Z.R. The Petitioner has shown that the proposed use would be conducted without real detriment to the neighborhood and would not adversely affect the public interest. The facts and circumstances do not show that the proposed use at the particular location described by Petitioner's Exhibit 1 would have any adverse impact above and beyond that inherently associated with such a special exception use, irrespective of its location within the zone. Schultz v. Pritts, 432 A.2d 1319 (1981).

The proposed use will not be detrimental to the health, safety, or general welfare of the locality, nor tend to create congestion in roads, streets, or alleys therein, nor be inconsistent with the purposes

of the property's zoning classification, nor in any other way be inconsistent with the spirit and intent of the B.C.Z.R.

After reviewing all of the testimony and evidence presented, it appears that the special exception should be granted with certain restrictions as more fully described below.

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons given above, the relief requested in the special exception should be granted.

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this 28th day of December, 1995 that the Petition for Special Exception seeking approval to use the subject property for a service garage and truck trailer repair facility, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject to the following restrictions:

- 1) The Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30-day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the relief granted herein shall be rescinded.
- 2) The special exception granted herein is limited to the service and repair of the trailer portions of tractor trailer trucks, only. There shall be no service work performed on the diesel tractors which pull these trailers.
- 3) The Petitioners are required to install three or four additional street trees in the grassy area along Yellow Brick Road, in front of the existing building.
- 4) When applying for any permits, the site plan and/or landscaping plan filed must reference this case and set forth and address the restrictions of this Order.

Timothy M. Kotroco
TIMOTHY M. KOTROCO
Deputy Zoning Commissioner
for Baltimore County

TMK:bjs

ORDER RECEIVED FOR FILING

Date 12/28/95
By [Signature]

ORDER RECEIVED FOR FILING

Date 12/28/95
By [Signature]

ORDER RECEIVED FOR FILING

Date 12/28/95
By [Signature]

ORDER RECEIVED FOR FILING

Date 12/28/95
By [Signature]



Baltimore County
Zoning Commissioner
Office of Planning and Zoning

Suite 112, Courthouse
400 Washington Avenue
Towson, Maryland 21204
(410) 887-4386

December 28, 1995

Newton A. Williams, Esquire
Nolan, Plumbhoff & Williams
210 W. Pennsylvania Avenue, Suite 700
Towson, Maryland 21204

RE: PETITION FOR SPECIAL EXCEPTION
S/S Yellow Brick Road, 980' E of the c/l of Rossville Boulevard
(8835 Yellow Brick Road)
15th Election District - 6th Councilmanic District
Yellow Brick, LLC - Petitioner
Case No. 96-178-X

Dear Mr. Williams:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Special Exception has been granted in accordance with the attached Order.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact the Zoning Administration and Development Management office at 887-3391.

Very truly yours,
Timothy M. Kotroco
TIMOTHY M. KOTROCO
Deputy Zoning Commissioner
for Baltimore County

TMK:bjs

cc: Ms. Marcia A. Roof, Yellow Brick, LLC
8837 Yellow Brick Road, Baltimore, MD. 21237

Mr. Dale Cole, Jr., Consolidated Parts & Services, Inc.
8835 Yellow Brick Road, Baltimore, MD. 21237

People's Counsel

File



Petition for Special Exception

to the Zoning Commissioner of Baltimore County

for the property located at 8835 Yellow Brick Road

which is presently zoned ML-1M

This Petition shall be filed with the Office of Zoning Administration & Development Management. The undersigned, legal owner(s) of the property situated in Baltimore County and which is described in the description and plat attached hereto and make a part hereof, hereby petition for a Special Exception under the Zoning Regulations of Baltimore County, to use the herein described property for Service Garage, Truck Trailer Repair

Property is to be posted and advertised as prescribed by Zoning Regulations. The undersigned, legal owner(s) of the property situated in Baltimore County and which is described in the description and plat attached hereto and make a part hereof, hereby petition for a Special Exception under the Zoning Regulations of Baltimore County, to use the herein described property for Service Garage, Truck Trailer Repair

Contract Purchaser/Lessee:
Consolidated Parts and Services, Inc.

Signature: *Dale Cole, Jr.*
DALE COLE, JR.

8835 Yellow Brick Road

Baltimore, MD 21237

City State Zip

Address

City State Zip

City State Zip

City State Zip

City State Zip

City State Zip

City State Zip

City State Zip

City State Zip

City State Zip

City State Zip

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City State Zip

City State Zip

City State Zip

City State Zip

City State Zip

Legal Owner(s):
Yellow Brick, LLC

Signature: *Marcia A. Roof*
MARCIA A. ROOF

8837 Yellow Brick Road

Baltimore, MD 21237

City State Zip

Address

City State Zip

City State Zip

City State Zip

City State Zip

City State Zip

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City State Zip

City State Zip

DUVAL & ASSOCIATES, P.A.

Engineers • Surveyors

8 Edgemoor Court

Phoenix, Maryland 21131

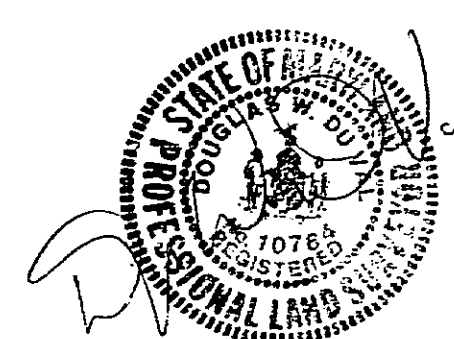
(410) 666-5467

Fax (410) 583-4688

ZONING DESCRIPTION 96-178-X

Beginning at a point on the south side of Yellow Brick Road which is 70 feet wide at the distance of 980 feet east of the centerline of Rossville Boulevard which is 100 feet wide. Thence the following courses and distances: S. 25° 56' 34" E. 240 ft., S. 21° 05' 50" E. 19.47 ft., N. 76° 19' 11" E. 119.08 ft., N. 13° 40' 49" W. 20 ft., N. 76° 19' 11" E. 55.73 ft., N. 13° 40' 49" W. 140.32 ft., S. 76° 11' 32" W. 26.78 ft., N. 13° 48' 28" W. 52.13 ft., N. 76° 11' 32" E. 5.34 ft., N. 13° 38' 24" W. 8.80 ft., N. 76° 24' 51" E. 66.25 ft., S. 13° 48' 28" E. 60.67 ft., N. 76° 25' 00" E. 69.86 ft., N. 13° 35' 00" W. 151.43 ft., S. 76° 25' 00" W. 18.24 ft. and southwesterly by a curve to the left having a radius of 815 ft. for a distance of 319.39 ft. to the place of beginning, as recorded in Deed Liber 10923, Folio 532.

Being part of Lot 2B in Section 1 in the subdivision of Rossville Industrial Park as recorded in Baltimore County Plat Book #45, Folio 018, containing 65, 956 square feet or 1.5141 acres. Also known as 8835 Yellow Brick Road and located in the 15th Election District.



1624
M.A.
J.M.A.

#178

CERTIFICATE OF POSTING

ZONING DEPARTMENT OF BALTIMORE COUNTY

Towson, Maryland

District: 10th Date of Posting: 12/17/95

Posted for: Special Exception

Petitioner: Yellow Brick, LLC

Location of property: 8835 Yellow Brick Rd.

Location of Signs: Four signs on property, four signs on 8835 Yellow Brick Rd.

Remarks:

Posted by: [Signature] Date of return: 12/24/95

Number of Signs: 8

CERTIFICATE OF PUBLICATION

TOWSON, MD. Dec. 21, 1995

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper published in Towson, Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on Dec. 16, 1995.

THE JEFFERSONIAN,

A. Henickson

LEGAL AD. - TOWSON

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT

DATE: 10/25/95 ACCOUNT: 01-615
ITEM: 178
BY: [Signature] AMOUNT: \$ 335.00
RECEIVED: Consolidated Parts & Services, Inc. - 8835 Yellow Brick Road
FROM: 050-SP Exception - \$ 300.00
000-1200 - \$ 35.00
FOR: 96-178-X 03A03H0343MICHRC \$335.00
BA 001156AM10-24-95
VALIDATION ON SIGNATURE OF CASHIER
PINK AGENCY YELLOW-GOLDEN



Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

ZONING HEARING ADVERTISING AND POSTING REQUIREMENTS & PROCEDURES

Baltimore County zoning regulations require that notice be given to the general public/neighborhood property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property and placement of a notice in at least one newspaper of general circulation in the County.

This office will ensure that the legal requirements for posting and advertising are satisfied. However, the petitioner is responsible for the costs associated with these requirements.

PAYMENT WILL BE MADE AS FOLLOWS:

- 1) Posting fees will be accessed and paid to this office at the time of filing.
- 2) Billing for legal advertising, due upon receipt, will come from and should be remitted directly to the newspaper.

NON-PAYMENT OF ADVERTISING FEES WILL STAY ISSUANCE OF ZONING ORDER.

ARNOLD JABLON, DIRECTOR

For newspaper advertising:

Item No.: 178 Petitioner: Consolidated Parts and Services, Inc.

Location: 8835 Yellow Brick Road

PLEASE FORWARD ADVERTISING BILL TO:

NAME: Newton A. Williams of Nolan, Plumbhoff & Williams

ADDRESS: 700 Court Towers

210 W. Pennsylvania Ave, Towson MD 21204

PHONE NUMBER: 823-7800

Printed with Soybean Ink
on Recycled Paper

12

TO: POTTERY PUBLISHING COMPANY
November 16, 1995 Issue - Jeffersonian

Please forward billing to:

Newton A. Williams
Nolan, Plumbhoff & Williams
700 Court Towers
210 W. Pennsylvania Avenue
Towson, MD 21204
823-7800

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204 or Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

CASE NUMBER: 96-178-X (Item 178)
8835 Yellow Brick Road
S/S Yellow Brick Road, 980' E of c/a Rossville Boulevard
15th Election District - 6th Councilmanic
Legal Owner: Yellow Brick, LLC
Contract Purchaser: Consolidated Parts and Services, Inc.

Special Exception for service garage, truck trailer repair.

HEARING: TUESDAY, DECEMBER 5, 1995 at 11:00 a.m. in Room 106, County Office Building.

LAWRENCE E. SCHMIDT
ZONING COMMISSIONER FOR BALTIMORE COUNTY

NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.
(2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, PLEASE CALL 887-3391.



Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

November 7, 1995

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204 or Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

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Special Exception for service garage, truck trailer repair.

HEARING: TUESDAY, DECEMBER 5, 1995 at 11:00 a.m. in Room 106, County Office Building.

[Signature]

ARNOLD JABLON
Director

cc: Yellow Brick, LLC
Consolidated Parts and Services, Inc.
Newton A. Williams, Esq.

NOTES: (1) ZONING SIGN & POST MUST BE RETURNED TO RM. 104, 111 W. CHESAPEAKE AVENUE ON THE HEARING DATE.
(2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.
(3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THIS OFFICE AT 887-3391.

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on Recycled Paper



Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

November 30, 1995

Newton A. Williams, Esquire
Nolan, Plumbhoff & Williams
700 Court Towers
210 W. Pennsylvania Avenue
Towson, MD 21204

RE: Item No.: 178
Case No.: 96-178-X
Petitioner: Yellow Brick, LLC

Dear Mr. Williams:

The Zoning Advisory Committee (ZAC), which consists of representatives from Baltimore County approval agencies, has reviewed the plans submitted with the above referenced petition, which was accepted for processing by Permits and Development Management (PDM), Zoning Review, on October 25, 1995.

Any comments submitted thus far from the members of ZAC that offer or request information on your petition are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties (zoning commissioner, attorney, petitioner, etc.) are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. Only those comments that are informative will be forwarded to you; those that are not informative will be placed in the permanent case file.

If you need further information or have any questions regarding these comments, please do not hesitate to contact the consulting agency or Joyce Watson in the zoning office (887-3391).

Sincerely,

[Signature]
W. Carl Richards, Jr.
Zoning Supervisor

WCR/jw
Attachment(s)

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director, PDM DATE: November 13, 1995

FROM: Pat Keller, Director, OP

SUBJECT: 8835 Yellow Brick Road

INFORMATION:

Item Number: 178

Petitioner: Yellow Brick, LLC

Property Size: _____

Zoning: ML-IM

Requested Action: Special Exception

Hearing Date: 1/1

SUMMARY OF RECOMMENDATIONS:

Should the applicant's request be granted, staff recommends a condition requiring street trees along Yellow Brick Road be placed in the Order.

Prepared by: Jeffery M. Long

Division Chief: Amy L. Kene

PK/JL

BALTIMORE COUNTY, MARYLAND
INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director DATE: Nov. 16, 1995
Zoning Administration and Development Management

FROM: Robert W. Bowling, P.E., Chief
Development Plans Review Division

RE: Zoning Advisory Committee Meeting
for November 13, 1995
Item No. 178

The Development Plans Review Division has reviewed the subject zoning item. A schematic landscape plan should be submitted with this request.

RWB:aw

Baltimore County Government
Fire Department



700 East Joppa Road Suite 901
Towson, MD 21286-5500

(410) 887-4500

DATE: 11/07/95

Arnold Jablon
Director
Zoning Administration and
Development Management
Baltimore County Office Building
Towson, MD 21204
MAIL STOP-1105

RE: Property Owner: YELLOW BRICK, LLC

LOCATION: S/S YELLOW BRICK RD., 980' E OF CENTERLINE ROSSVILLE BLVD.
(8835 YELLOW BRICK RD.)

Item No.: 178 Zoning Agenda: SPECIAL EXCEPTION

Gentlemen:

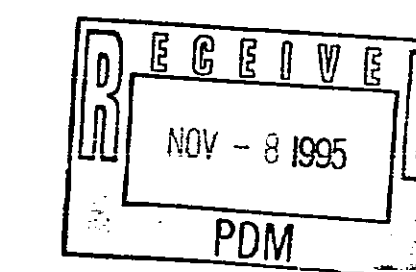
Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

4. The site shall be made to comply with all applicable parts of the Fire Prevention Code prior to occupancy or beginning of operation.

5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "Life Safety Code", 1991 edition prior to occupancy.

REVIEWER: LT. ROBERT P. SAUERWALD
Fire Marshal Office, PHONE 887-4881, MS-1102F

cc: File
Printed on Recycled Paper





David L. Winstead
Secretary
Hal Kassoff
Administrator

Ms. Joyce Watson
Baltimore County Office of
Permits and Development Management
County Office Building, Room 109
Towson, Maryland 21204

RE: Baltimore County
Item No. 178

Dear Ms. Watson:

This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not affected by any State Highway Administration projects.

Please contact Rob Small at 410-333-1350 if you have any questions.

Thank you for the opportunity to review this item.

Very truly yours,

✓ Ronald Burns, Chief
Engineering Access Permits
Division

BS/es

My telephone number is _____

Maryland Relay Service for Impaired Hearing or Speech
1-800-735-2258 Statewide Toll Free

Mailing Address: P.O. Box 717 • Baltimore, MD 21203-0717
Street Address: 707 North Calvert Street • Baltimore, Maryland 21202

PETITION PROBLEMS

#175 --- JRA

1. Petition says zoning is D.R.-3.5, D.R.-5.5, and D.R.-10.5; folder says zoning is D.R.-3.5 -- Which is correct?

#178 — MJK

1. No telephone number for legal owner.

#179 --- JLL

1. No property description on folder.

#180 --- JCM

1. No zip code for legal owner.
2. Notary section is incomplete -- only one signature was notarized.

#183 --- JJS

1. No zoning indicated on petition form.

RE: PETITION FOR SPECIAL EXCEPTION * BEFORE THE

2835 Yellow Brick Road, S/S Yellow Brick *
Road, 980' E of c/l Resville Blvd. * ZONING COMMISSIONER

15th Election District, 6th Councilmanic *
OF BALTIMORE COUNTY

Legal Owner: Yellow Brick, LLC

Contract Purchaser: Consolidated Parts and Services, Inc.

Petitioners * CASE NO. 96-178-X

ENTRY OF APPEARANCE

Please enter the appearance of the People's Counsel in the above-captioned matter. Notice should be sent of any hearing dates or other proceedings in this matter and of the passage of any preliminary or final Order.

Det. H. L. Z. 1911

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

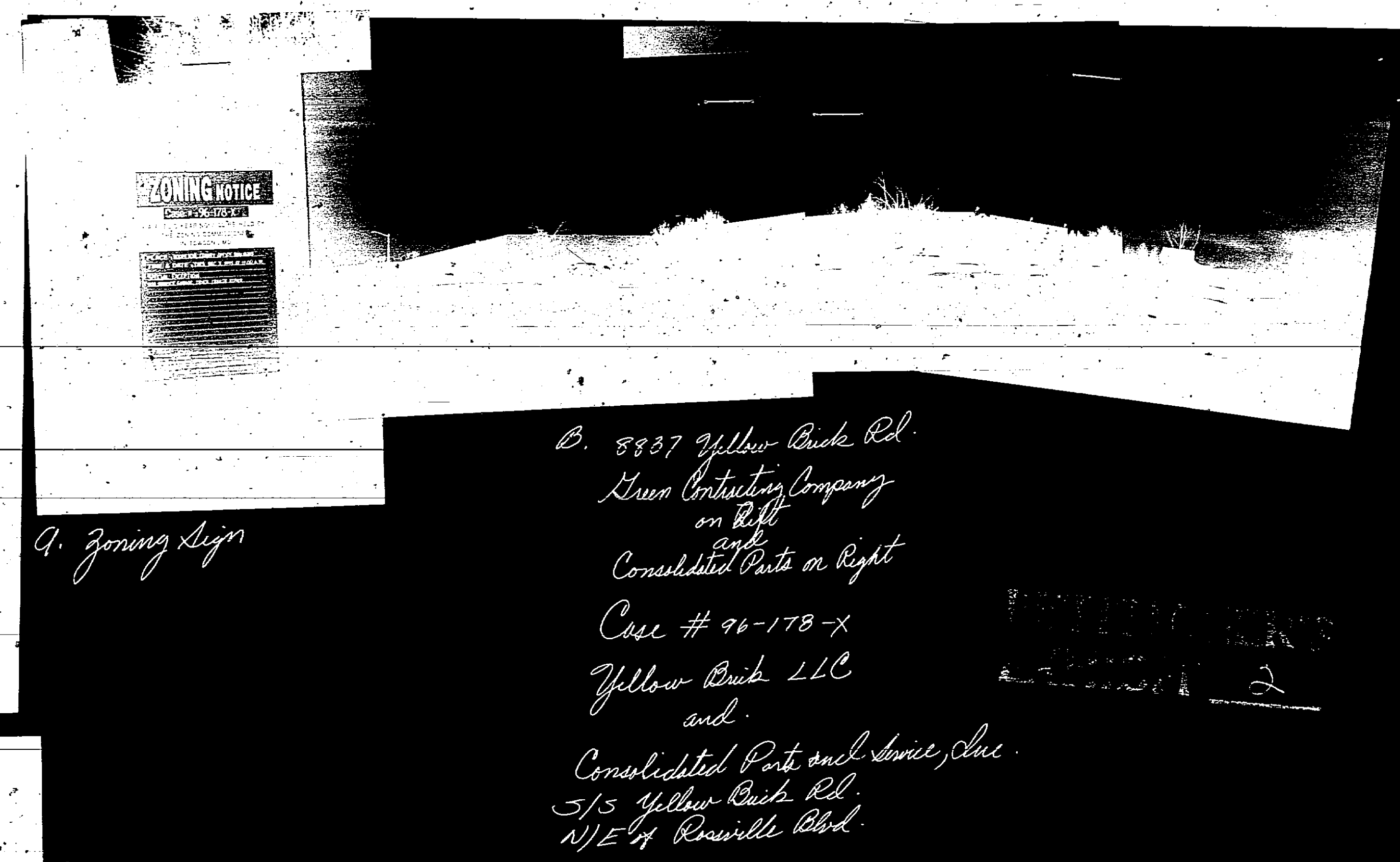
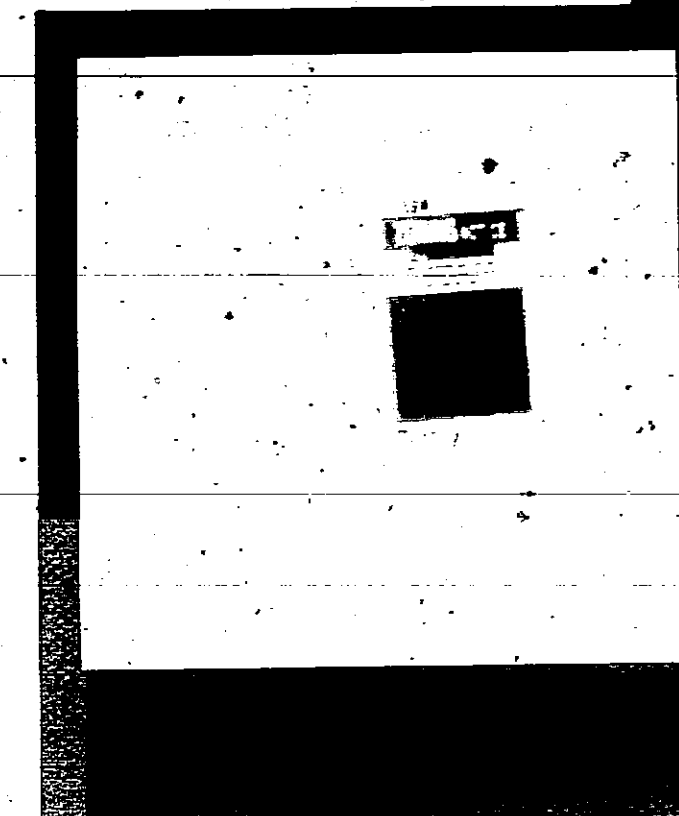
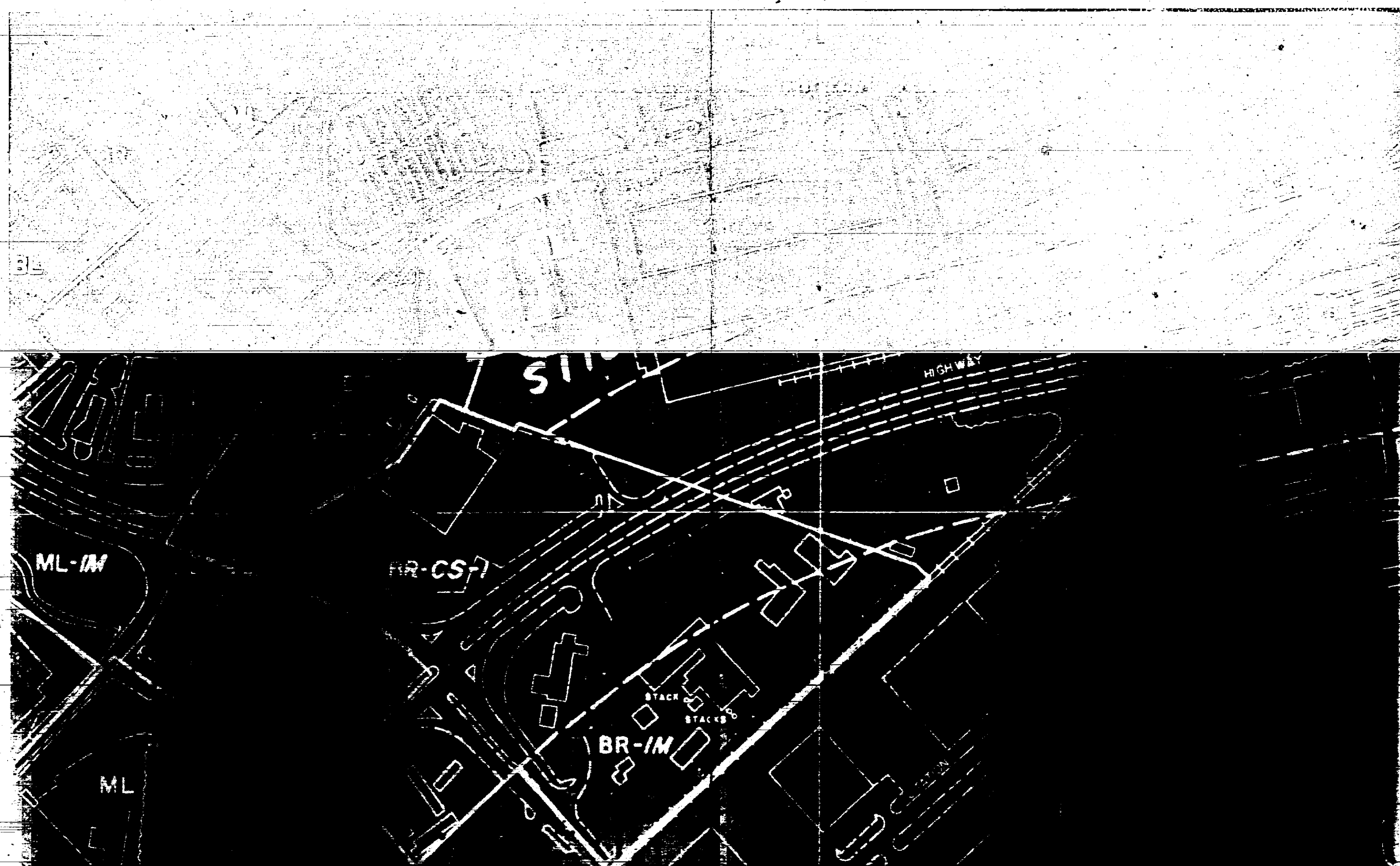
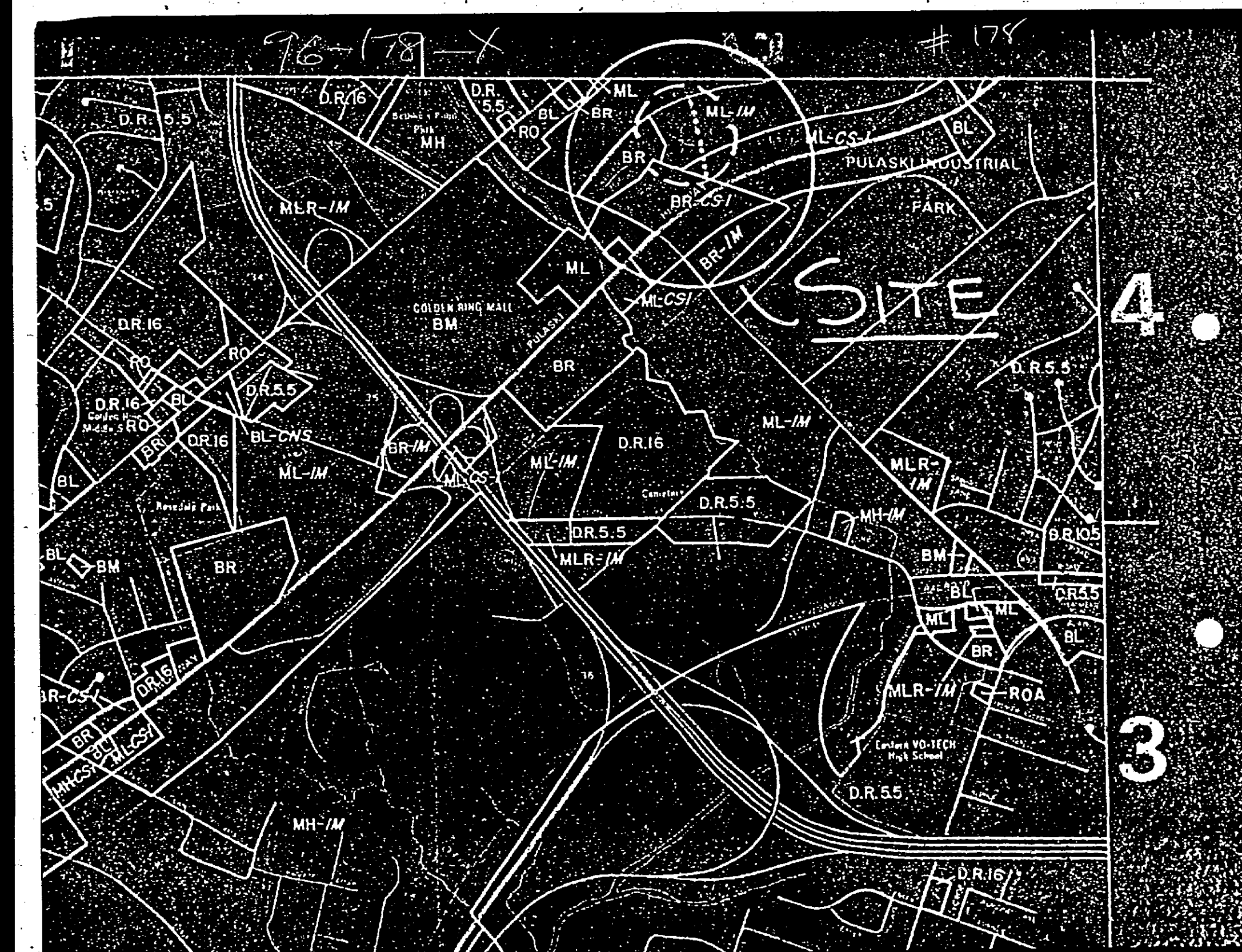
Angelo S. Scimili

CAROLE S. DEMILIO
Deputy People's Counsel
Room 47, Courthouse
400 Washington Avenue
Towson, MD 21204
(410) 887-2188

CERTIFICATE OF SERVICE

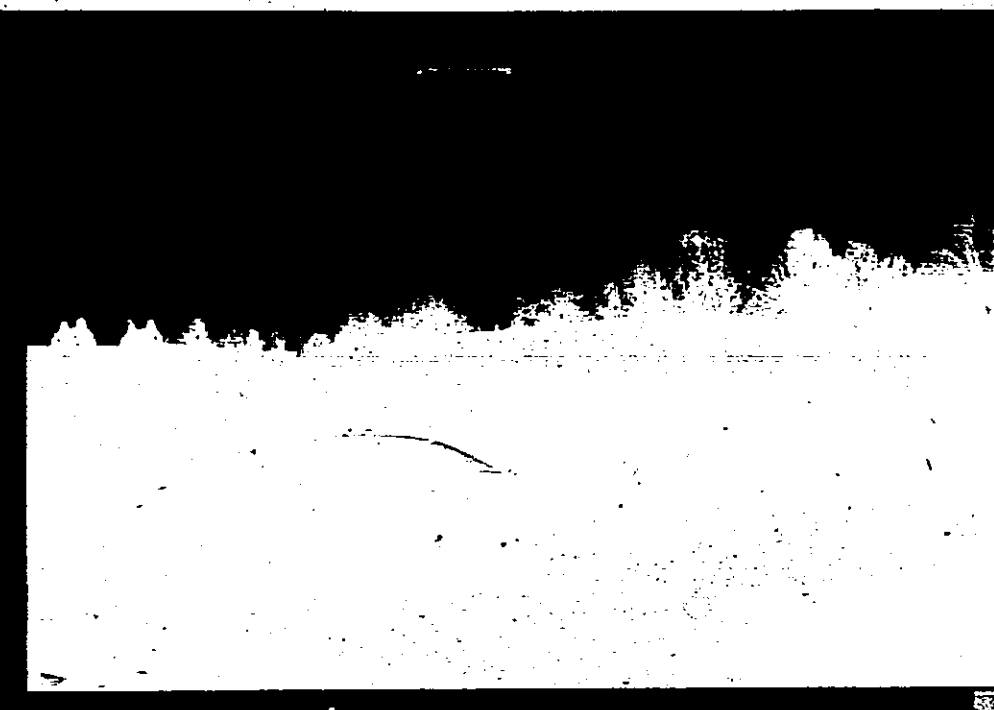
I HEREBY CERTIFY that on this 30th day of November, 1995, a copy of the foregoing Entry of Appearance was mailed to Newton A. Williams, Esquire, Nolan, Plumbhoff & Williams, 210 W. Pennsylvania Avenue, Suite 700, Towson, MD 21204, attorney for Petitioners.

Peter Max Zimmerman
PETER MAX ZIMMERMAN

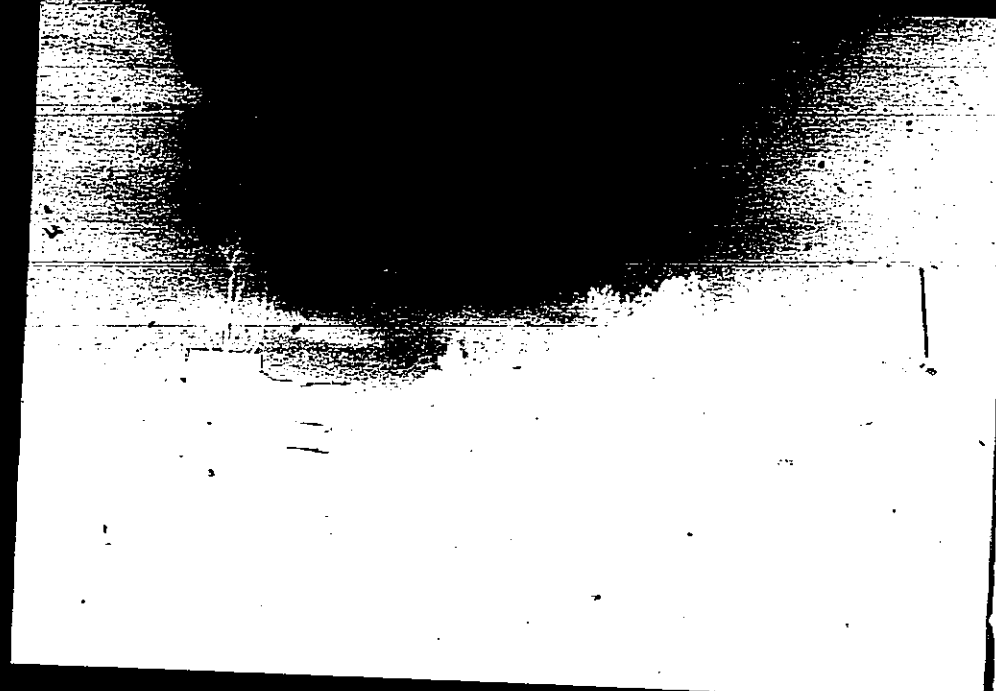




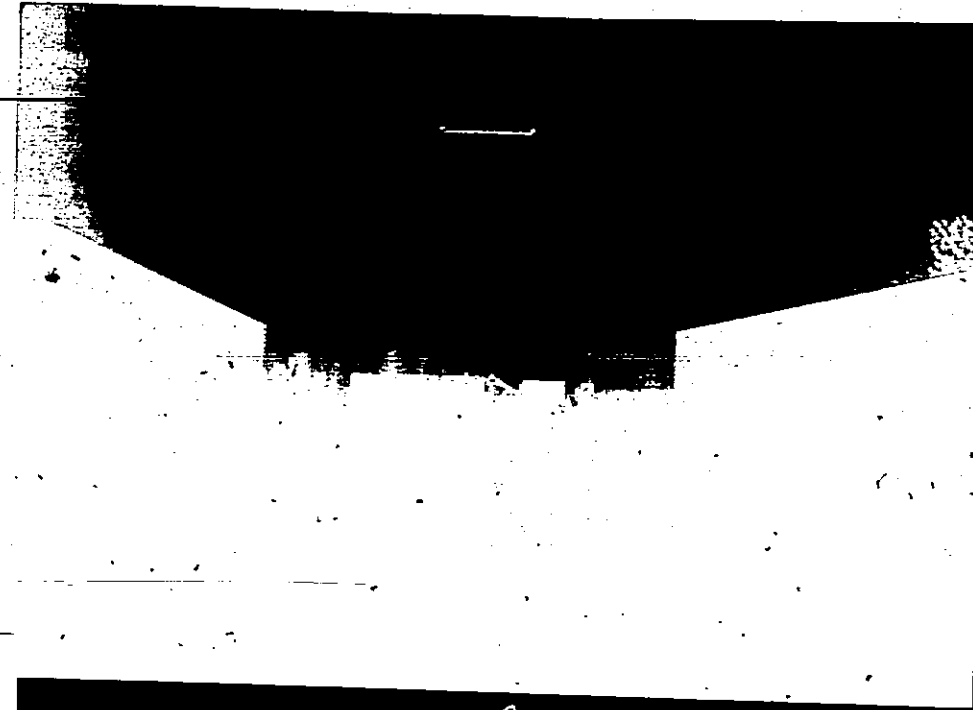
C. Frontage Sign & Note
2 Trees - close to sign



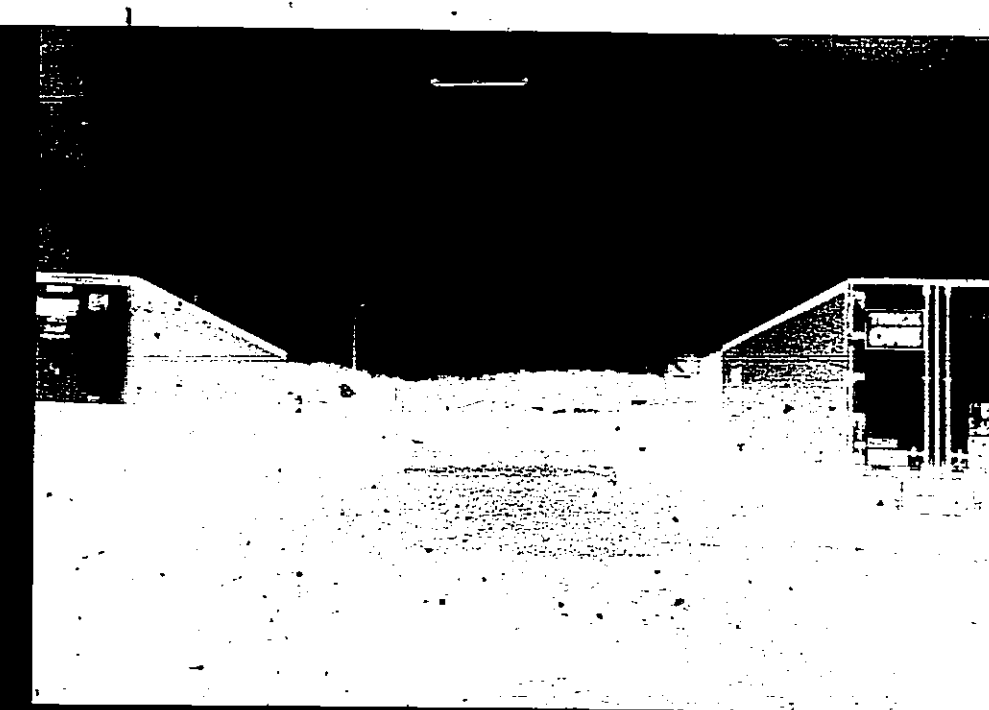
D. Storage Yard on S/S of Billy -
Note Slit fence - green



E. W/S of Yellow-Bird Rd. Entrance &
Hotel, secured storage yard.

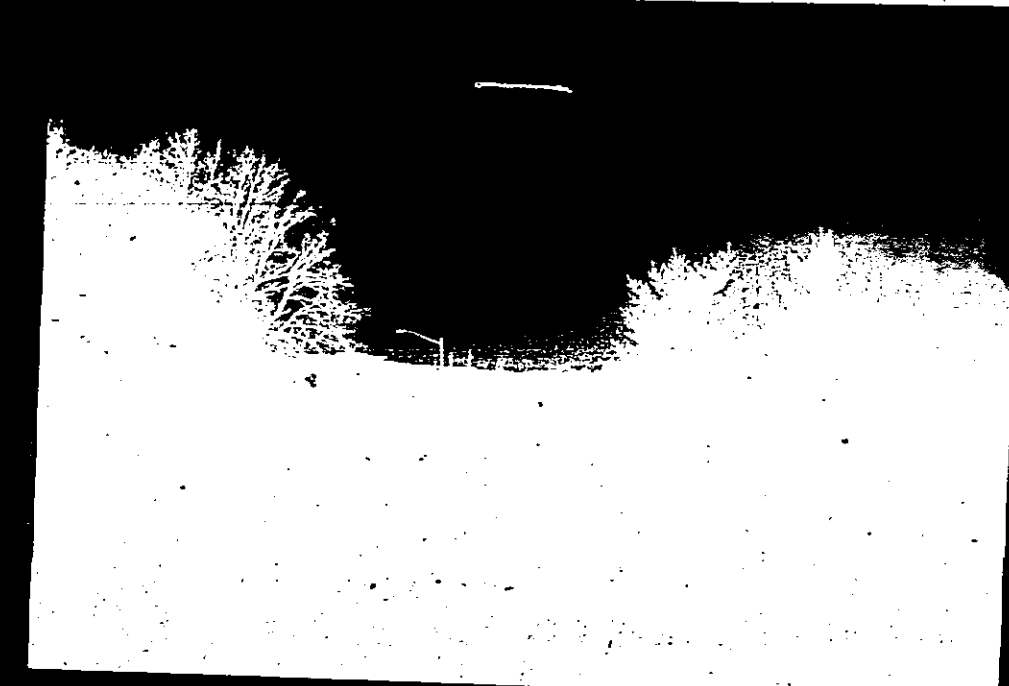


F. View into Yard, looking South
with gates open.



G. View looking North from yard toward
Yellow-Bird Rd. and Mini warehouses.

H. W/S of Billy from yard
showing Consolidated & Dore.

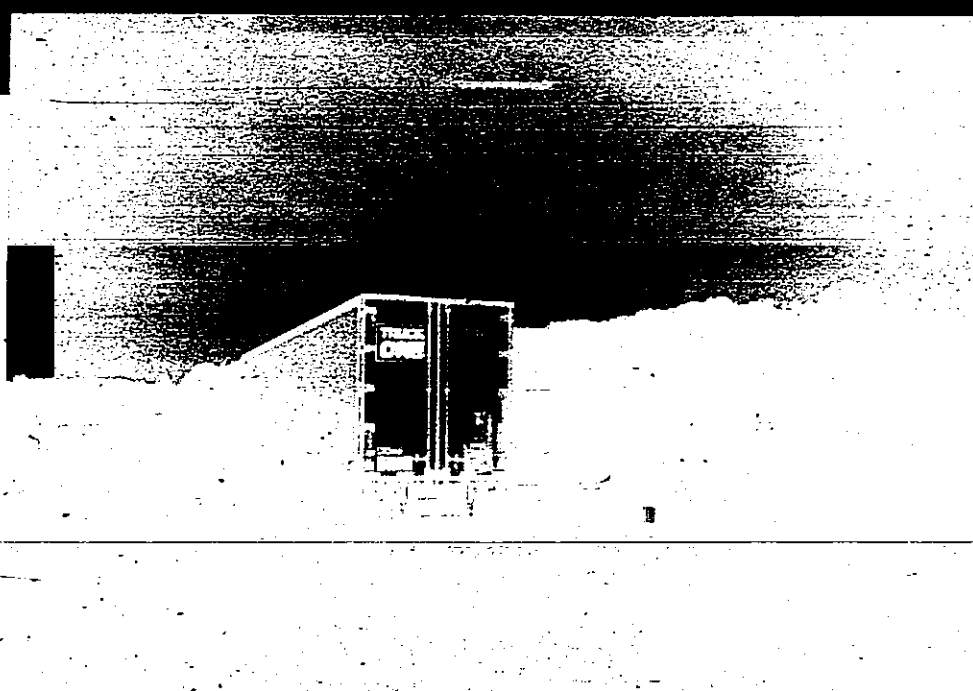


M. Looking SW around curve from c/l
of Yellow-Bird Rd., Golden Ring
Mall in extreme background.

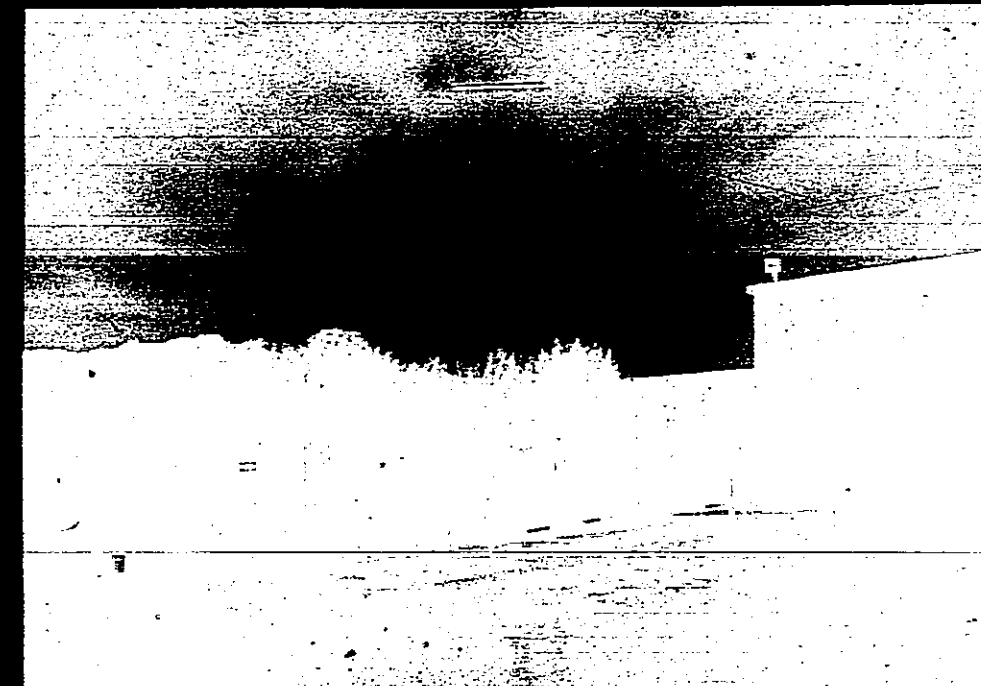
L. Looking SW on Yellow-Bird toward
Rosedale Blvd.

N. Looking E
from W. entrance
Note street trees

O. Looking E/NE
from c/l
Yellow-Bird Rd.
Note street
trees.

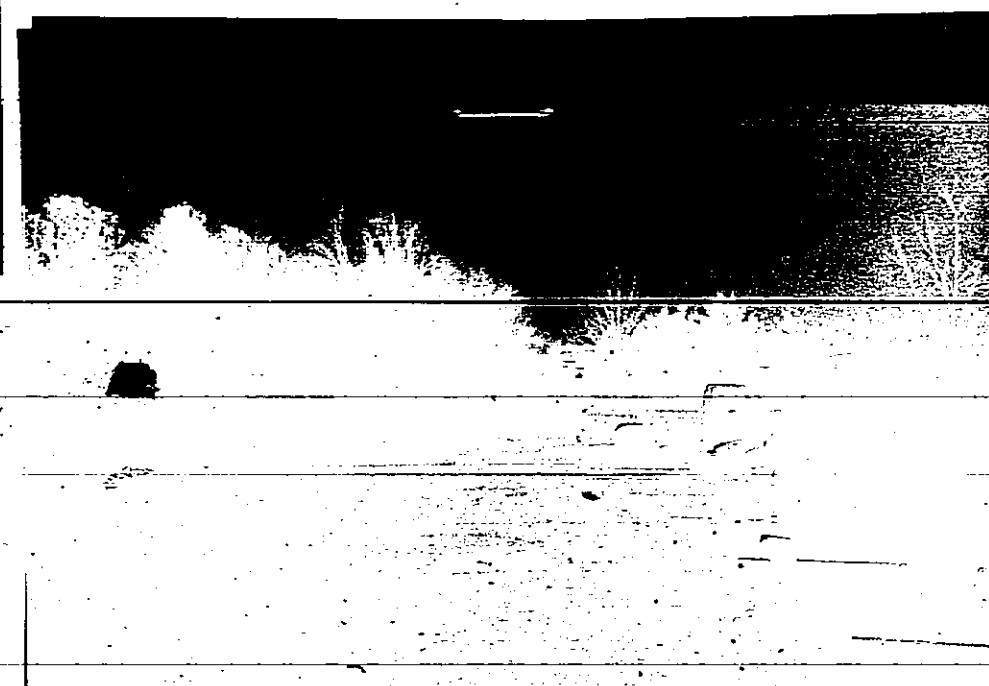
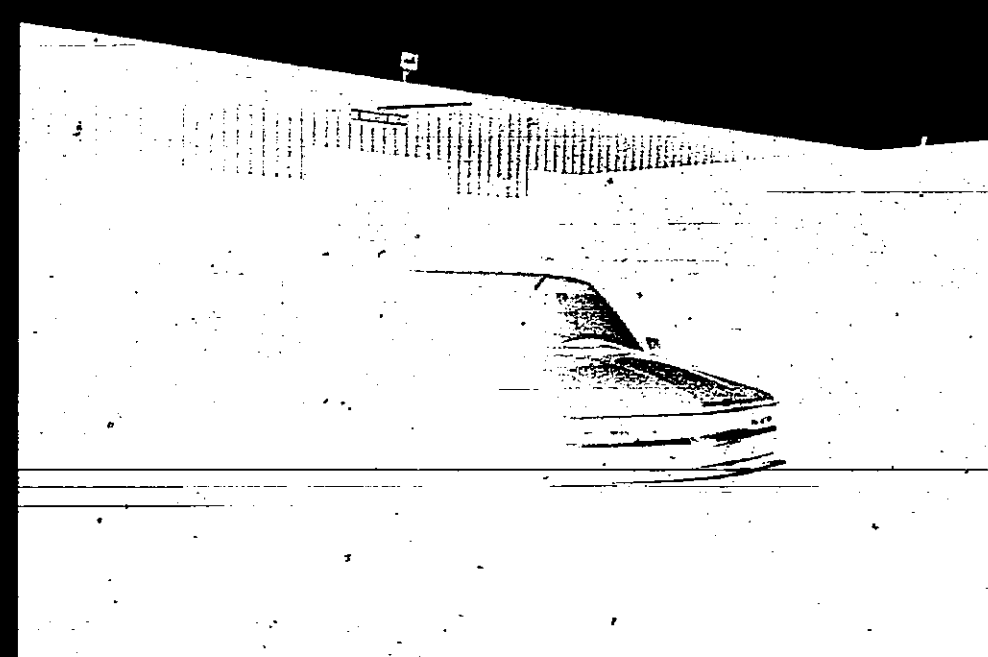


I. NE/C of Yard note trailer body
on grass



J. Further of NE/C of Yard note hidden
in dumpster.

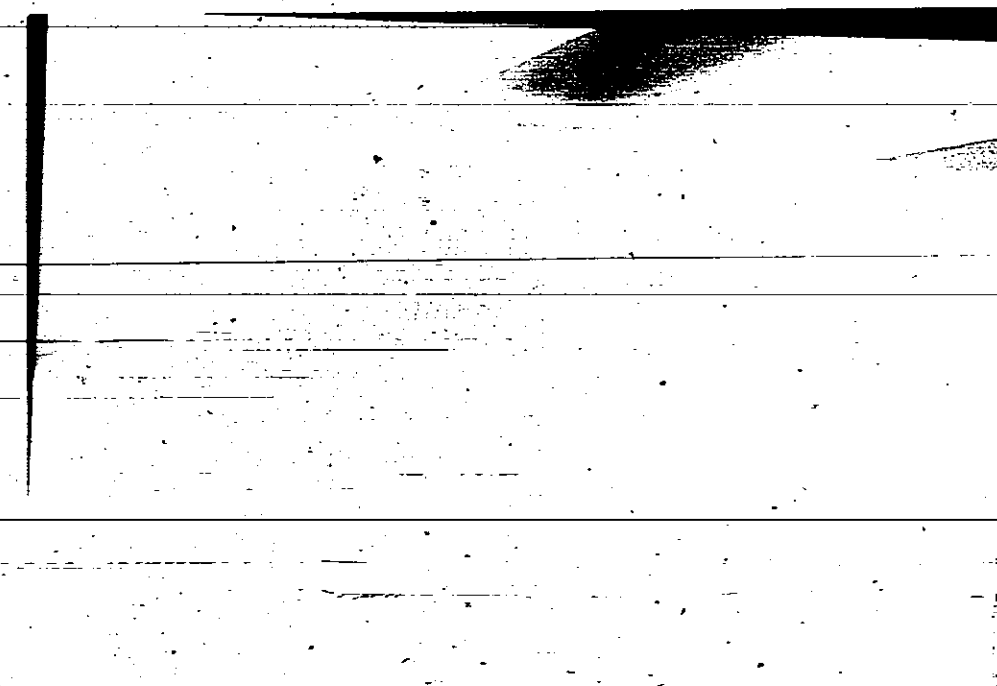
K. One of Consolidated's
Delivery Trucks



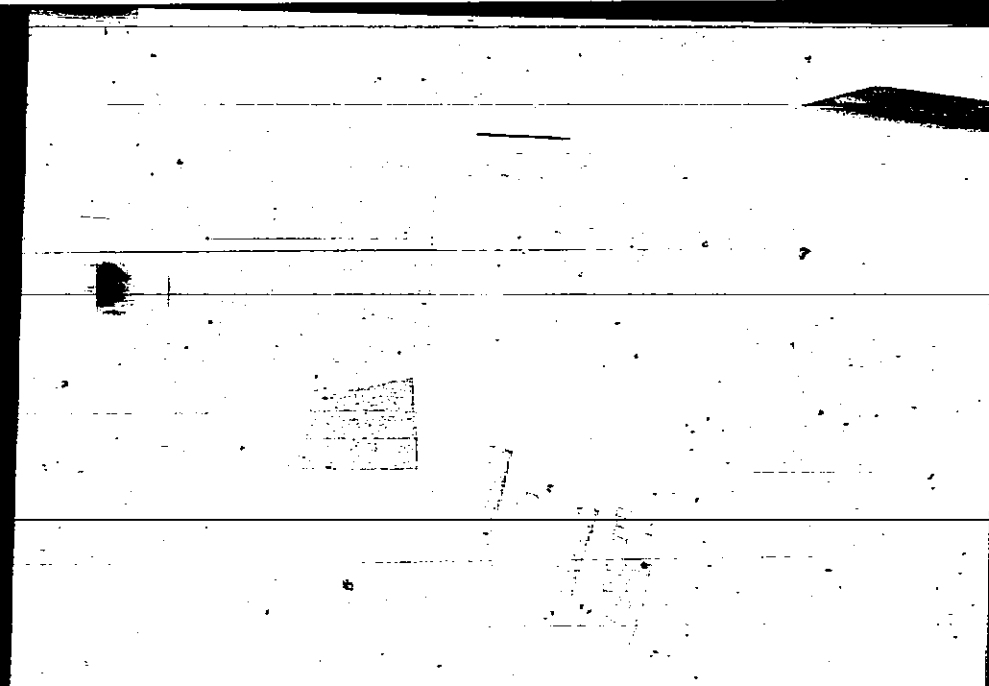
T. Front Parking Area looking West.



U. Front Parking looking E, note Billy
Building.

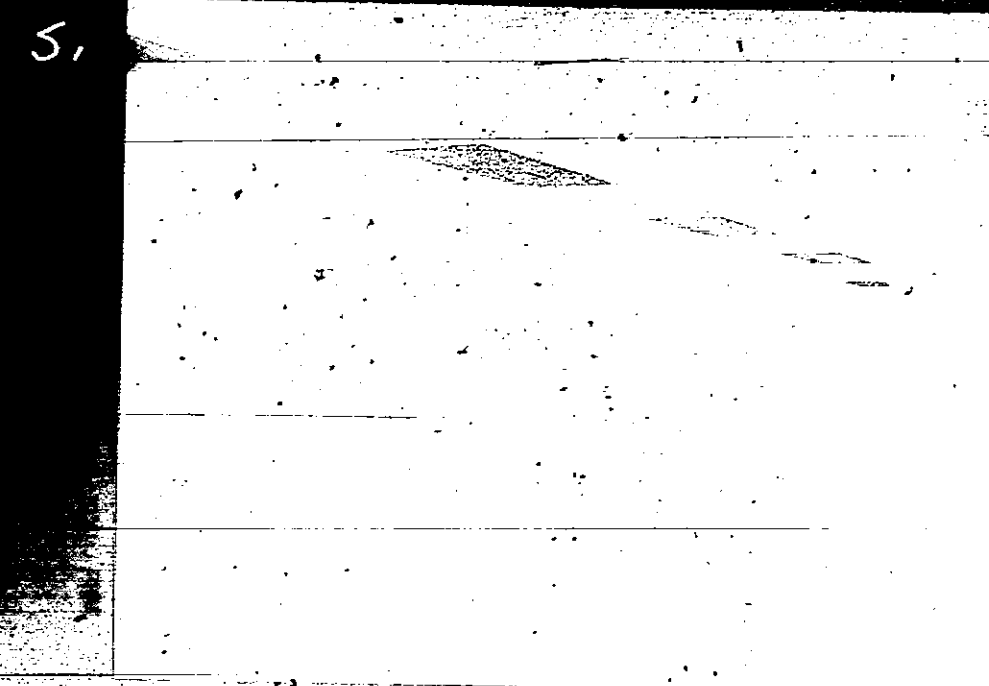


P. Product Logos on Wall at Service
Desk.

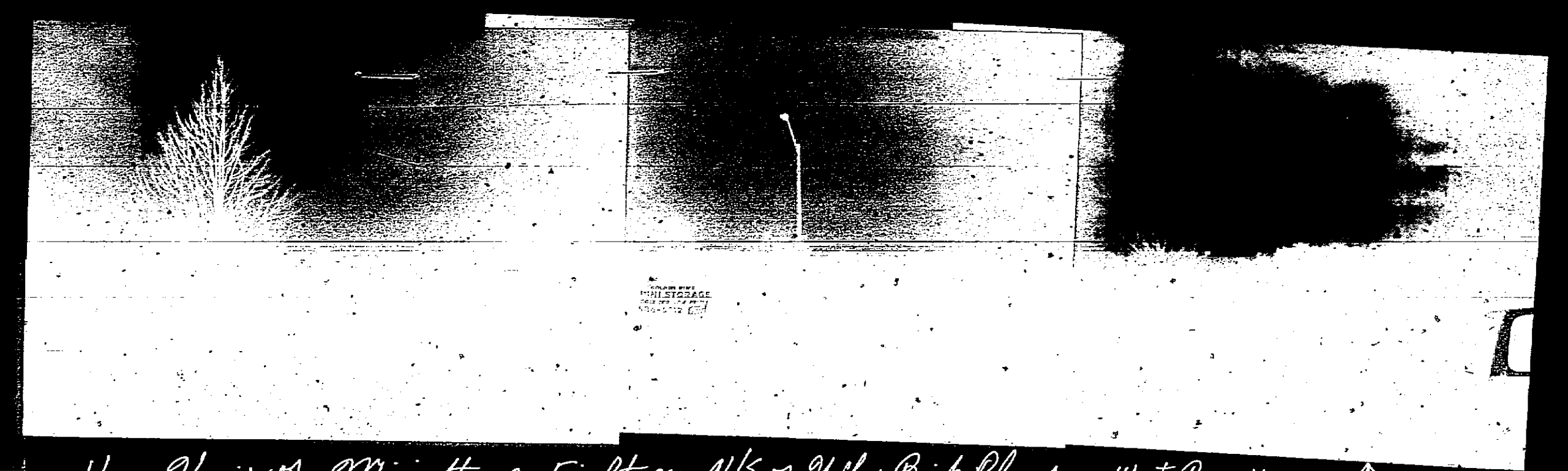


Q. Service Desk & Entrance Door

R. Service
Desk View
of Office



S. Looking from
other side
service desk
in Right
Background.



V. View of Mini storage Facility on W/S of Yellow-Bird Rd. from West Railway
Note street trees.



X. Consolidated Rental
Sign at New York City
with Fruehauf, L.P.



CONSOLIDATED PARTS & SERVICE, INC.

YOUR COMPLETE PARTS & SERVICE CENTER

800-B. RACE ROAD • BALTIMORE, MARYLAND 21221 • PHONE (410) 574-4404 • FAX (410) 574-4408



PRODUCT LINES

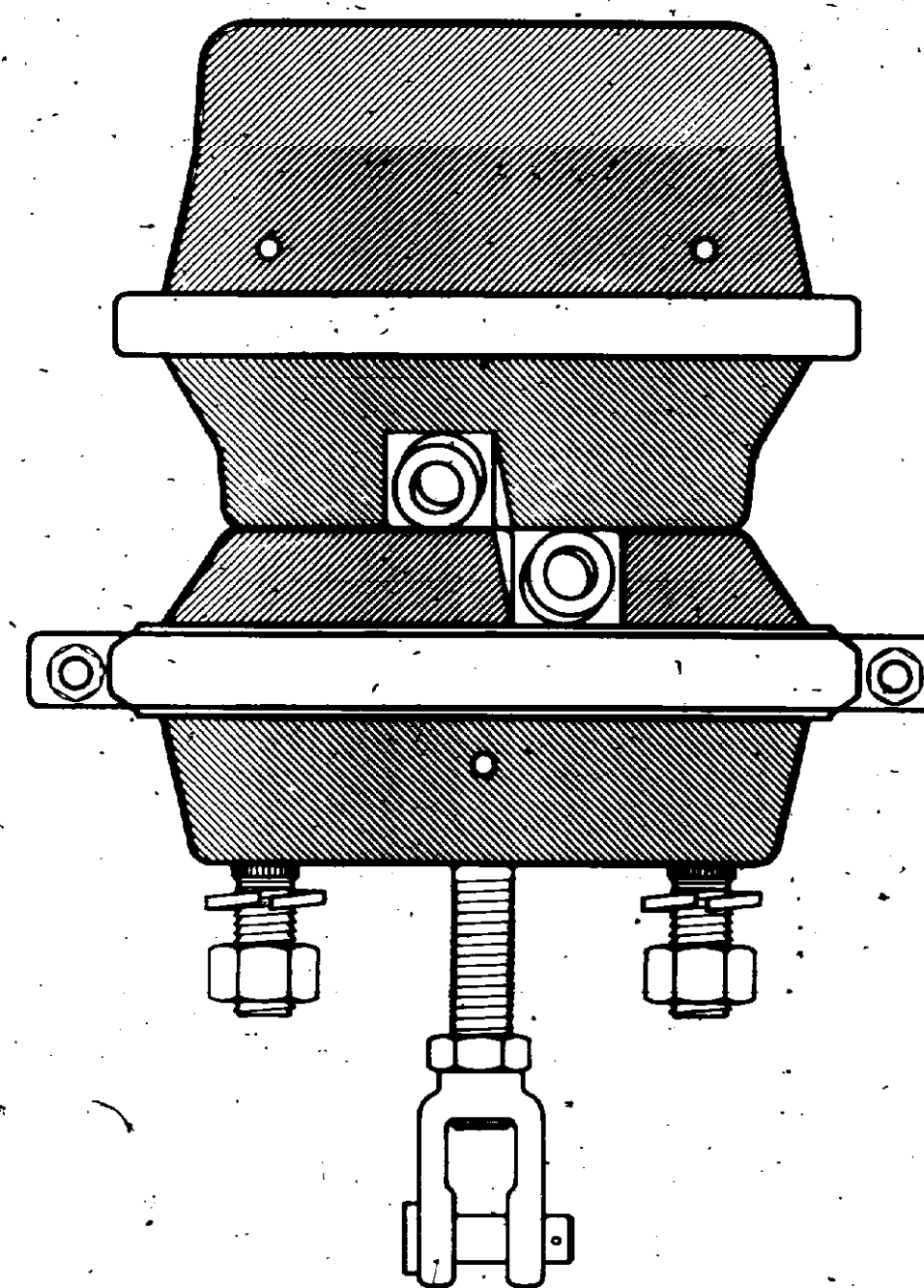


1-800-875-CPS1 (2771)

PETITIONER'S
EXHIBIT 3



INTRODUCING BLACK MAX II

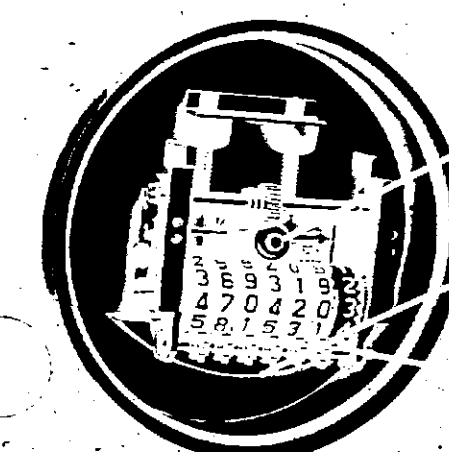


BLACK MAX, THE ACKNOWLEDGED LEADER OF
SPRING BRAKE INNOVATIVE FEATURES, IS
CONTINUING WITH ITS TRADITION!



STEMCO-ENGLER HUBODOMETERS

- ☐ Stick with the best for maximum accuracy, dependability
- ☐ Gain from over 40 years of Stemco manufacturing experience
- ☐ Warranted for 300,000 miles
- ☐ New part number identification for reduced inventory



1. Independent mainshaft reduces failure caused by frontal impact.
2. Spring-loaded counterweight effectively reduces spin.
3. Externally plumbed odometer mechanism utilizes low friction mounted components.

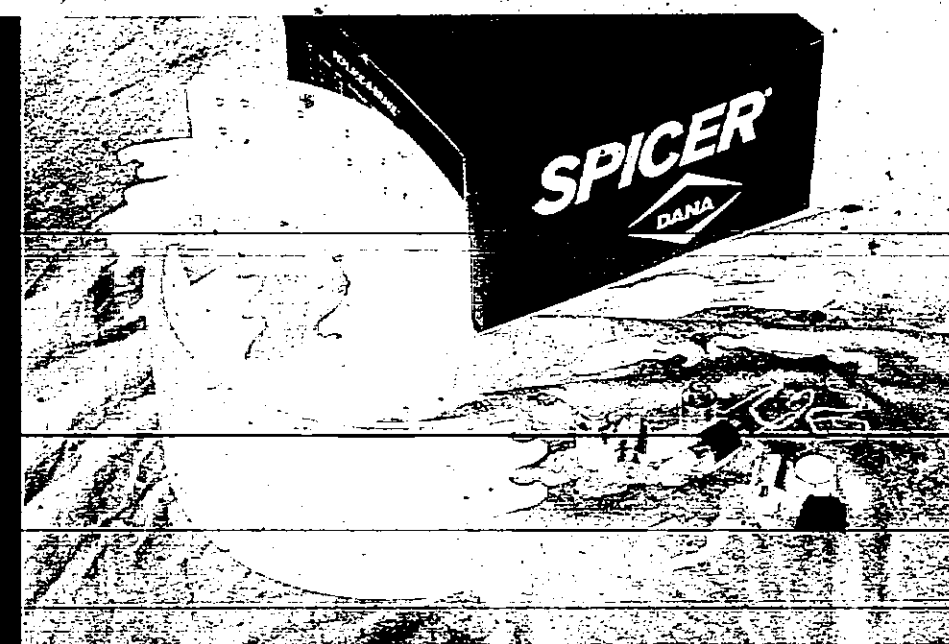
Stemco
Truck Products Division
Coltec Industries



PREMIER

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SPICER LINED BRAKE SHOES



ALL-AMERICAN BLUE. Engineered to provide safe, consistent and reliable performance time and time again, on your truck or trailer. AA Blue is designed to safely stop vehicles grossing up to 92,500 lbs. using two drive and two trailer axles in combination with a 12,500 lbs. steering axle.

AA BLUE FEATURES . . .
 ★ Great flexibility.
 ★ High structural strength.
 ★ Extreme toughness to sustain the most severe operating conditions and still get the job done.
 ★ Gives optimum service life and provides superior lining life and drum wear.

DEM CERTIFIED All-American linings are the highest quality products available. And each meets Spicer's rigid requirements for safe, consistent, reliable, and predictable performance.
 At Spicer, quality is never compromised. And as always, we remain dedicated to providing your fleet with the safest and most dependable brakes anywhere.

MADE IN THE USA All of our non-asbestos linings are made here in the U.S.A. We produce the highest quality products available, and compete worldwide.

FRICITION CODE FF
 GAWR 20,000 LBS.
 A/L FACTOR 165 or 180
 ROLLING RADIUS 21.1"
 BRAKE TYPE S-CAM



SPICER

AA All-American Trade Name
 DEM This lining has passed a Spicer quality audit and is DEM Approved.
 BLUE The product name Blue.
 FF This material has been registered with the AAMVA-A state requirement and has a coefficient of friction rating of FF.
 20K This material has passed the FMVSS 121 stopping distance requirement at 20,000 lbs.

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MARK Y LANDING GEARS



**RUGGED, HEAVY GAUGE
CONSTRUCTION**

**DURABLE,
PERFORMANCE-PROVEN
DESIGN**

**SMOOTH, EASY,
EFFICIENT LIFTING**

**WIDEST VARIETY OF
MODELS FOR EVERY
APPLICATION**

**UNMATCHED LOAD
BEARING AND LATERAL
LOAD STRENGTH**

**ENGINEERED
EXCELLENCE**

...to go the distance

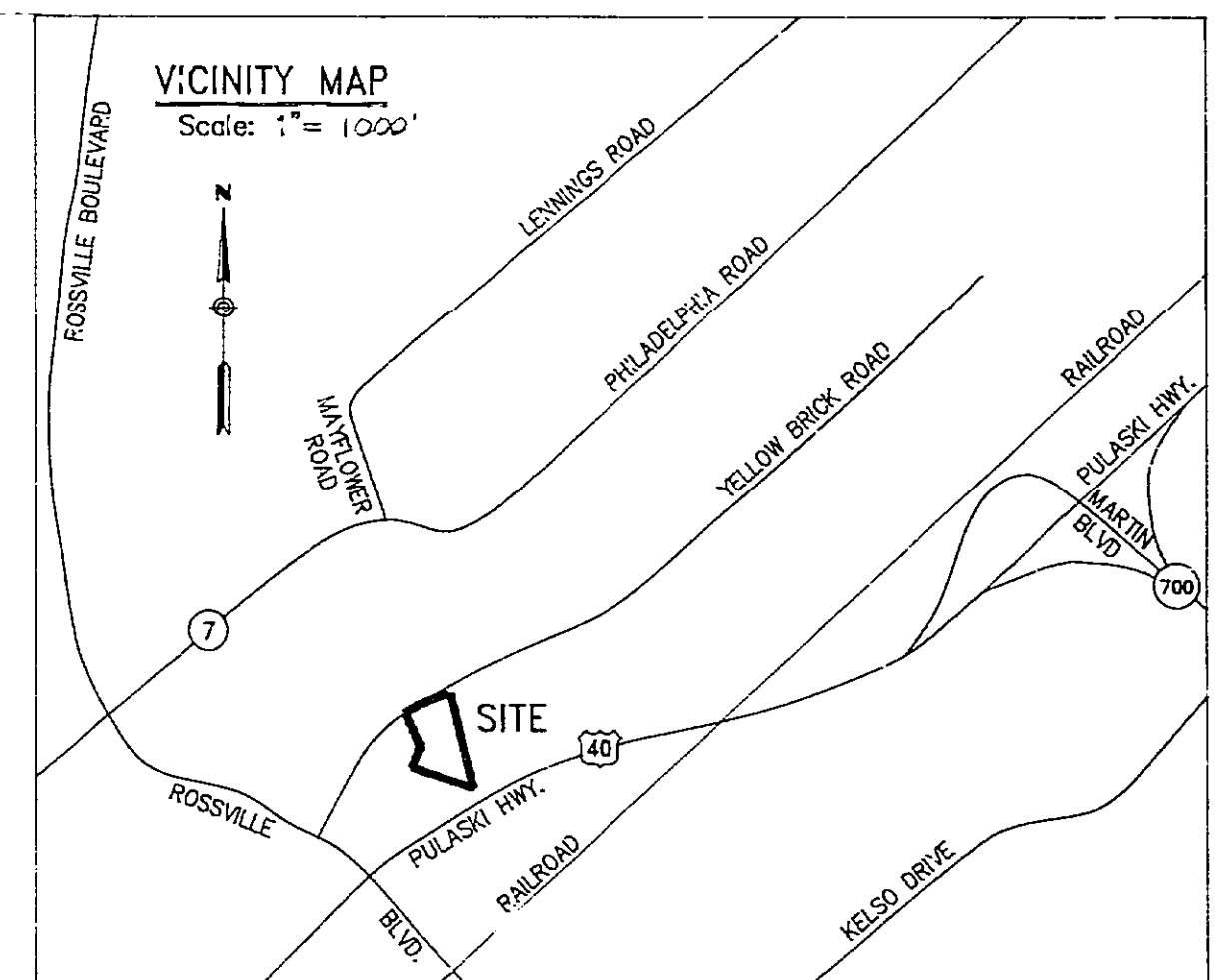


LG 103 Rev. 3/92

RE-PRO Dump Liner Systems



World Leader in
Dump Liner Technology



96-178-X

8835 Yellow Brick Road

Special Exception
General Notes

- Owner: Yellow Brick, LLC
8837 Yellow Brick Road
Baltimore, Maryland 21227
Deed Ref.: 10923-532
- Address of Property Subject to Special Exception:
8835 Yellow Brick Road
Baltimore, Maryland 21237
- General Site Data:
Part of Parcel 1074, Part of Lot 2B,
Block 1, Tax Map 90 = 18-00-011503
Site served with public water and sewer
Site (Lot 2B) area: 1.961 Ac.
Site area subject to Special Exception:
1.514 Ac.
Site Zoning: BR, ML-IM, ML-CS-1
- Previous Commercial Permit: None
- Floor Area Ratio Calculations:
Total gross floor area: 18,000 SF
Gross site area: 182,689 SF
F.A.R. = 18,000 SF / 182,689 SF = 0.10
- Parking for Entire Site:
Required: Office 5400 SF / 1000 SF x 3.3 = 18
Shop: 12 Employees = 12
General = 70
Provided: 46 (including 2 hand spaces)
- Requested Special Exception: Service Garage, Truck
Trailer Repair
- All signs meet the requirements of Section 417 of
the BCZR.
- All damaged and/or disabled vehicles shall be stored
in an existing fenced area meeting the require-
ments of Section 405A of the BCZR.
- The subject property, entrances and exits and site are all
existent. No prior zoning cases, D.R.C. reviews
or waivers known.

PETITIONER'S
EXHIBIT 1

178

PLAN TO ACCOMPANY PETITION FOR
SPECIAL EXCEPTIONS

8835 Yellow Brick Road

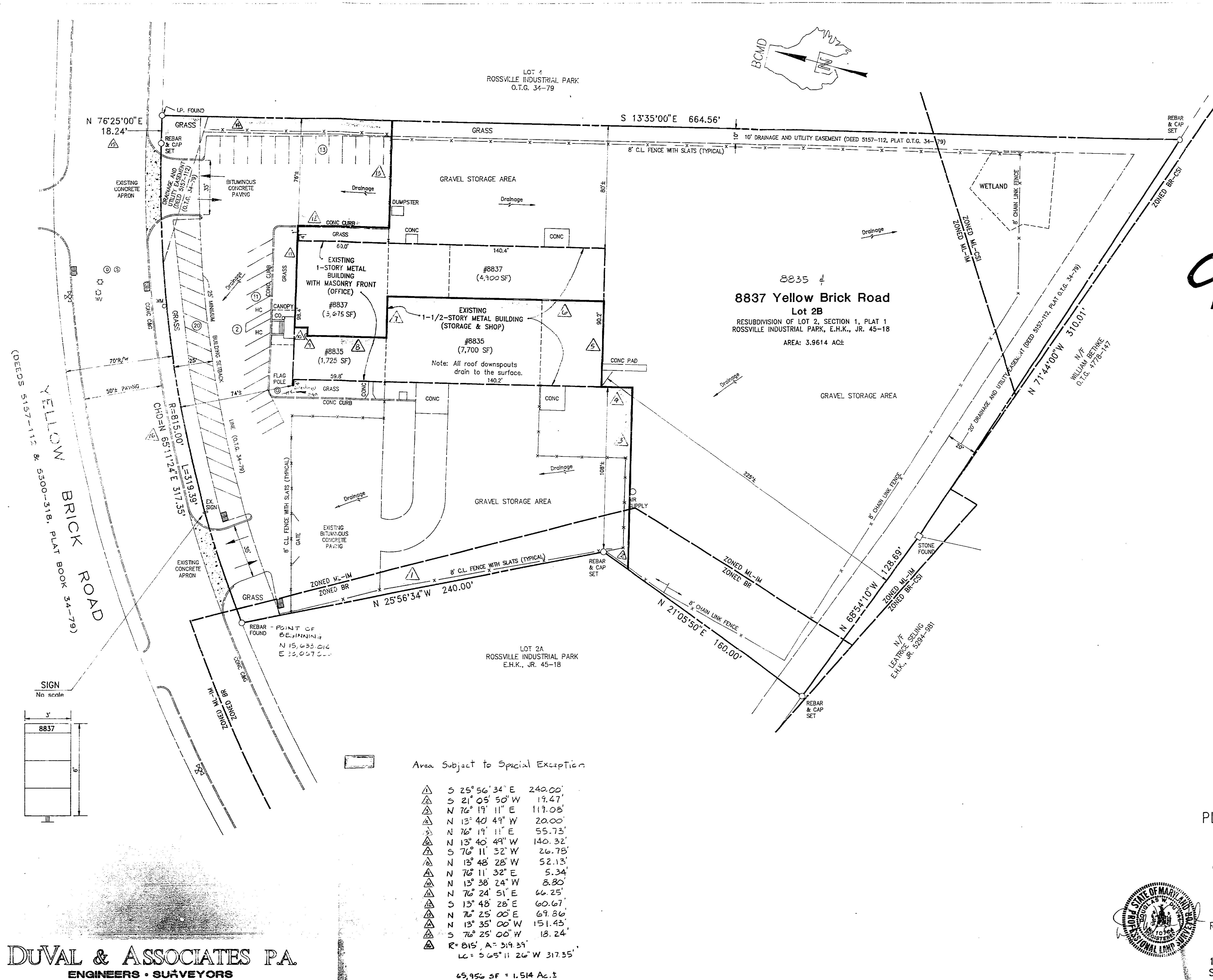
Part of Lot 2B

RESUBDIVISION OF LOT 2, SECTION 1, PLAT 1
ROSSVILLE INDUSTRIAL PARK, E.H.K., JR. 45-18

15th Election District - Baltimore County, Maryland
Date: September 11, 1995
Revised: October 13, 1995



94071SE.DWG



DUVAL & ASSOCIATES P.A.
ENGINEERS • SURVEYORS
8 Edgarwood Court
Phoenix, Md. 21131
410-666-5467